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Printed at the Ranbir Government Press, Jammu.

No. 42] The J&K Govt. Gazette, the 14th Jan., 2021/24th Pausa, 1942. 419
Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-217/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

Notification

No. 1778 Dated 08-05-2020.

It is hereby notified that vide High Court Order dated 05-05-2020 Ms. Parshottma Sharma D/o Ramesh Chander Shastri R/o Ward No. 3, Lahri Billawar, Tehsil Billawar, District Jammu A/P H. No. 39A, Small Plot, Gandhi Nagar, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-219/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

Notification

No. 1779 Dated 08-05-2020.

It is hereby notified that vide High Court Order dated 05-05-2020 Ms. Shazia Chawdhary D/o Mohammad Shafi R/o Dodaj, Tehsil Darhal, District Rajouri has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of

420 The J&K Govt. Gazette, the 14th Jan., 2021/24th Pausa, 1942. [No. 42
one year from the date of issuance of this notification, subject to the
verification of her Provisional/LL.B Degree Certificate from the
concerned University and verification of her character and antecedents
from CID. Her name has been entered under Serial No. JK-220/2020
in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

Notification

Notification

No. 1780 Dated 08-05-2020.

It is hereby notified that vide High Court Order dated 05-05-2020
Mr. Sahil Sharma S/o Ramesh Kumar Sharma R/o P/O Gharota, Village
Gharota, Tehsil Bhalwal, District Jammu has been admitted and enrolled
as an Advocate on the Rolls of Jammu and Kashmir Bar Council
provisionally for a period of one year from the date of issuance of this
notification, subject to the verification of his Provisional/LL.B Degree
Certificate from the concerned University and verification of his
character and antecedents from CID. His name has been entered under
Serial No. JK-221/2020 in the Roll of Advocates maintained by this
Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

Notification

Notification

No. 1781/LP Dated 08-05-2020.

It is hereby notified that vide High Court Order dated 05-05-2020
Mr. Syed Idrees Andrabi S/o Syed Mohmad Ayoub Andrabi R/o
Ratnipora, Pir Mohalla, Tehsil Kakapora, District Pulwama has been
admitted and enrolled as an Advocate on the Rolls of Jammu and

No. 42] The J&K Govt. Gazette, the 14th Jan., 2021/24th Pausa, 1942. 421
Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-222/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

Notification

No. 1782 Dated 08-05-2020.

It is hereby notified that vide High Court Order dated 05-05-2020 Mr. Sunny Raj Sharma S/o Ajay Kumar Sharma R/o Jankpour, Punjdhara, Brahman Mohalla, Tehsil Dachan, District Kishtwar A/P 101-Trisndhya Vihar, Gurha Brahmana, Patoli, Akhnoor Road, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-223/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

Notification

No. 1783 Dated 08-05-2020.

It is hereby notified that vide High Court Order dated 05-05-2020 Mr. Syed Dansih Aejaz S/o Syed Aejaz Ahmad R/o Gundipora, Bongam, Tehsil Kakapora, District Pulwama has been admitted and enrolled as

422 The J&K Govt. Gazette, the 14th Jan., 2021/24th Pausa, 1942. [No. 42
an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-224/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 1784 Dated 08-05-2020.

It is hereby notified that vide High Court Order dated 05-05-2020 Ms. Tuba Rashid D/o Abdul Rashid Dar R/o Namchabal, Fatehkadal, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-225/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 1785 Dated 08-05-2020.

It is hereby notified that vide High Court Order dated 05-05-2020 Mr. Tarush Kumar Oberoi S/o Pardeep Kumar Oberoi R/o H. No. 293,

No. 42] The J&K Govt. Gazette, the 14th Jan., 2021/24th Pausa, 1942. 423
W. No. 11, Mohalla Panditan, Tehsil Haveli, District Poonch A/P H.
No. 31, Sec-1A, Green Avenue, Trikuta Nagar Extension, Jammu has
been admitted and enrolled as an Advocate on the Rolls of Jammu and
Kashmir Bar Council provisionally for a period of one year from the
date of issuance of this notification, subject to the verification of his
Provisional/LL.B Degree Certificate from the concerned University and
verification of his character and antecedents from CID. His name has
been entered under Serial No. JK-226/2020 in the Roll of Advocates
maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

Notification

Notification

No. 1786 Dated 08-05-2020.

It is hereby notified that vide High Court Order dated 05-05-2020
Mr. Zahid Hassan S/o Gulam Hassan Bhat R/o Wadipora, Ompora,
Tehsil Budgam, District Budgam has been admitted and enrolled as an
Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally
for a period of one year from the date of issuance of this notification,
subject to the verification of his Provisional/LL.B Degree Certificate
from the concerned University and verification of his character
and antecedents from CID. His name has been entered under Serial
No. JK-227/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

(Sd.) S. JATINDER SINGH,

Assistant Registrar.

Notification

HIGH COURT OF JAMMU AND KASHMIR AT SRINAGAR
(Exercising powers of Bar Council under Section 58 of the Advocates
Act, 1961).

No. 5 Dated 13-07-2020.

By order.

Notification

It is hereby notified that the below mentioned applicants have surrendered their Certificates of Enrolment . Therefore, their Certificates of Enrolment are kept in abeyance with effect from the date(s) shown against each :ô

By order.

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(i) Shri Parvez Hussain Kachroo S/o Shri Gh. Nabi Kachroo R/o Kalashpora Srinagar, bearing Enrolment No. 977 dated 24-08-1990, shall be deemed to have suspended his practice



Vol. 132] Jammu, Thu., the 14th Jan., 2021/24th Pausa, 1942. [No. 42

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Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Dated 27-05-2020.

Whereas, the land specifications whereof are given in Annexure "A" to this notification is required for construction of Movekote-Surranda Tetharka road under PMGSY situated at Village Tetharka, Tehsil Gool, District Ramban ;

No. 41] The J&K Govt. Gazette, 14th Jan., 2021/24th Pausa, 1942. 467
 after giving prescribed notice to the interested person(s) as required under
 the Land Acquisition Act/Rules.

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication of the notification under section 9(2) of the said Act, the Collector will take possession of the aforementioned land in Village Tetharka, Tehsil Gool, District Ramnagar required for public purposes subject to fulfillment of the conditions prescribed under section 9(2) and section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government,
 Revenue Department.

Annexure-"A"

Particulars of land

| District | Tehsil | Village | Kh. Nos. | Area |
|----------|--------|----------|----------|-------|
| 1 | 2 | 3 | 4 | 5 |
| | | | | K. M. |
| Ramban | Gool | Tetharka | 206 min | 02613 |
| | | | 190 min | 00618 |
| | | | 190 min | 00614 |
| | | | 191 min | 02616 |
| | | | 191 min | 00617 |

| | | K. M. |
|-----|-----|-------|
| 191 | min | 00601 |
| 191 | min | 00606 |
| 191 | min | 00605 |
| 186 | min | 00603 |
| 192 | | 01617 |
| 235 | min | 01606 |
| 235 | min | 00613 |
| 235 | min | 01600 |
| 198 | | 01608 |
| 60 | | 00604 |
| 59 | | 01610 |
| 199 | min | 00613 |
| 199 | min | 00603 |
| 63 | | 00608 |
| 64 | | 01613 |
| 58 | min | 00610 |
| 58 | min | 00607 |
| 56 | min | 01609 |
| 57 | min | 00609 |
| 57 | min | 00603 |
| 56 | min | 00611 |
| 55 | min | 01612 |
| 55 | min | 00602 |
| 55 | min | 00605 |
| 57 | min | 0060½ |

[illegible]

| | |
|-------------|-------|
| 54 | 00604 |
| 51 | 00610 |
| 49 | 00603 |
| 42 | 00602 |
| 50 | 00609 |
| 37 | 02616 |
| 36 | 04618 |
| 67 | 00608 |
| 608/36 | 00603 |
| 28 | 00607 |
| 609/306 | 00616 |
| 26 min | 04607 |
| 26 min | 04608 |
| 22 | 01611 |
| 95 | 02614 |
| 90 | 03610 |
| 14 | 00616 |
| 12 | 01600 |
| 574/117 min | 01607 |
| 574/117 min | 00615 |
| 118 min | 00604 |
| 121 | 00611 |
| 119 | 00603 |
| 118 | 00610 |
| 06 | 00613 |
| 118 | 02612 |
| 12 | 00610 |

[illegible]

| | K. M |
|-------------|-------|
| 13 min | 01608 |
| 13 min | 03602 |
| 13 min | 01611 |
| 15 min | 00605 |
| 15 min | 00615 |
| 1600/15 | 03611 |
| 22 | 02615 |
| 25 | 04604 |
| 28 | 00608 |
| 604/35 | 00612 |
| 34 | 01608 |
| 40 | 07612 |
| 39 | 01606 |
| 42 | 00604 |
| 237 min | 02604 |
| 237 min | 04614 |
| 501/237 | 01616 |
| 501/237 | 01616 |
| 496/238 | 06605 |
| 234 | 01613 |
| 450/234 | 06603 |
| 450/234 | 02601 |
| 246/234 min | 00617 |
| 246/234 min | 00617 |

[illegible]

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Whereas, the Collector, Land Acquisition (SDM), Gool vide No. SDM/G/PWD/232-35 dated 12-10-2018 and SDM/G/PMGSY/284-

472 The J&K Govt. Gazette, 14th Jan., 2021/24th Pausa, 1942. [No. 42
88 dated 17-11-2018 has reported that the notification issued under
section 4(1) of the J&K State Land Acquisition Act by him was served
upon the interested persons for filing objections, if any, to the proposed
acquisition but no objection was received from the land owners/interested
persons within the prescribed period as required under sections 5 & 5-A
of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition
(SDM), Gool vide letter referred to above duly endorsed by District
Collector Land (DC), Ramban vide No. DC/LA/Rbn/356-57 dated
03-10-2019, Divisional Commissioner, Jammu vide No. 502/3763/Acq/
Mahakund/Rbn/19/2654 dated 30-10-2019 and Financial Commissioner,
Revenue, J&K Jammu vide No. FC-LS/LA-5124/2020 dated 12-03-2020
has been examined and it has been found that the land owners did not file
any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof
are given above is required for public purpose viz. for construction of Kantha-
Morh to Mahakund link road under PMGSY situated in Village Mahakund,
Tehsil Gool, District Ramban.

Now, therefore, in pursuance of section 6 of the J&K State Land
Acquisition Act, Samvat 1990, it is declared that the land measuring
50 Kanals and 12 Marlas situated in Village Mahakund, Tehsil Gool,
District Ramban for construction of Kantha-Morh to Mahakund link road
under PMGSY. Further, the Collector, Land Acquisition (SDM), Gool is
directed under section 7 of the said Act to take orders for acquisition of the
said land after giving prescribed notice to the interested person(s) as required
under the Land Acquisition Act/Rules.

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat
1990, it is also ordered that on expiry of fifteen days from the publication of
the notification under section 9(2) of the said Act, the Collector will take
possession of the aforementioned land in Village Mahakund, Tehsil Gool,
District Ramban required for public purposes subject to fulfillment of the
conditions prescribed under section 9(2) and section 17-A of the Land
Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

Principal Secretary to Government,
Revenue Department.

Annexure-"A"

| District | Tehsil | Village | Kh. Nos. | Area |
|----------|--------|----------|----------|-------|
| 1 | 2 | 3 | 4 | 5 |
| | | | | K. M. |
| Ramban | Gool | Mahakund | 843 min | 01614 |
| | | | 842 min | 00612 |
| | | | 828 min | 00602 |
| | | | 830 | 00605 |
| | | | 831 | 00618 |
| | | | 829 min | 00602 |
| | | | 823 | 00616 |
| | | | 824 | 00602 |
| | | | 822 | 01604 |
| | | | 833 min | 00606 |
| | | | 821 | 00619 |
| | | | 835 min | 00602 |
| | | | 820 | 01609 |
| | | | 819 min | 00606 |
| | | | 811 min | 00605 |

[illegible]

1226 00606

1227 00607

1241 01611

1240 01611

1239 00610

1276 00613

1277 00601

1349 01615

1275 min 00617

1353 min 00602

1351 01610

1350 00602

1346 00606

719 min 00605

1356 min 02601

1358 min 01610

1359 min 01605

1378 min 02603

1379 min 02601

1380 min 00607

1444 min 01600

1445 min 01610

1371 main 00404

[illegible]

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Dated 27-05-2020.

Whereas, the Collector, Land Acquisition (SDM), Gool vide No. SDM/G/PMGSY/968-72 dated 17-11-2018 has reported that the notification issued under section 4(1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition but no objection was received from the

land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Gool vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Ramban vide No. DC/LA/Rbn/568-69 dated 29-01-2019, Divisional Commissioner, Jammu vide No. 502/4142/Acq/Bimdassa/PMGSY/Rbn/19/4395 dated 13-02-2020 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5105/2020 dated 04-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of Gagger to Bhimdassa road under PMGSY situated at Village Gundi, Tehsil Gool, District Ramban.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 68 Kanals and 01 Marla (Local) situated in Village Gundi, Tehsil Gool, District Ramban for construction of Gagger to Bhimdassa road under PMGSY. Further, the Collector, Land Acquisition (SDM), Gool is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication of the notification under section 9(2) of the said Act, the Collector will take possession of the aforementioned land in Village Gundi, Tehsil Gool, District Ramban required for public purposes subject to fulfillment of the conditions prescribed under section 9(2) and section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

Principal Secretary to Government,
Revenue Department.

Annexure-"A"

| District | Tehsil | Village | Kh. Nos. | Area |
|----------|--------|---------|-------------|-------|
| 1 | 2 | 3 | 4 | 5 |
| | | | | K. M. |
| Ramban | Gool | Gundi | 404/304 min | 01618 |
| | | | 404/304 min | 05612 |
| | | | 404/304 min | 03601 |
| | | | 404/304 min | 02603 |
| | | | 119 min | 02606 |
| | | | 119 min | 05616 |
| | | | 119 min | 01605 |
| | | | 119 min | 01605 |
| | | | 404/304 min | 01616 |
| | | | 404/304 min | 05618 |
| | | | 404/304 min | 07614 |

[illegible][illegible]

119 min 05614

404/304 min 04601

404/304 min 04600

485/402/303 01607

| | |
|-------|-------|
| Total | 68601 |
|-------|-------|

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Whereas, on the basis of an indent placed by Chief Engineer, PMGSY, JKRRDA, Jammu, a notification under section 4(1) was issued by Collector, Land Acquisition (ADC), Billawar vide letter No. ADC/B/2017-18/1418-26 dated 14-02-2018 for land measuring 11 Kanals and 04 Marlas situated at Village Billawar, Tehsil Billawar and District Kathua for

480 The J&K Govt. Gazette, 14th Jan., 2021/24th Pausa, 1942. [No. 42
construction of road namely L026-Block boundary Sukrala Machhedi road
to Morian under PMGSY ;

Whereas, the Collector, Land Acquisition (ADC), Billawar vide
No. ADC/Bir/2019-20/284 dated 29-10-2019 has reported that the
notification issued under section 4(1) of the J&K State Land Acquisition
Act by him was served upon the interested persons for filing objections, if
any, to the proposed acquisition but no objection was received from the
land owners/interested persons within the prescribed period as required
under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ADC),
Billawar vide letter referred to above duly endorsed by District Collector,
Land Acquisition (DC), Kathua vide No. DCK/LA/2019-20/1794-98 dated
30-10-2019, Divisional Commissioner, Jammu vide No. 502/4014/Billawar/
Kathua/19/4123 dated 31-12-2019 and Financial Commissioner, Revenue
J&K Jammu vide No. FC-LS/LA-5145/2020 dated 10-03-2020 has been
examined and it has been found that the land owners did not file any
objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof
are given above is required for public purpose viz. for construction of road
namely L026-Block boundary Sukrala Machhedi road to Morian under
PMGSY.

Now, therefore, in pursuance of section 6 of the J&K State Land
Acquisition Act, Samvat 1990, it is declared that the land measuring
11 Kanals and 04 Marlas situated at Village Billawar, Tehsil Billawar and
District Kathua for construction of road namely L026-Block boundary
Sukrala Machhedi road to Morian under PMGSY. Further, the Collector,
Land Acquisition (ADC), Billawar is directed under section 7 of the said

No. 41] The J&K Govt. Gazette, 14th Jan., 2021/24th Pausa, 1942. 481
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However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government,
Revenue Department.

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Annexure-"A"

Particulars of land

| District | Tehsil | Village | Kh. Nos. | Area |
|----------|----------|----------|-------------|-------|
| 1 | 2 | 3 | 4 | 5 |
| | | | | K. M. |
| Kathua | Billawar | Billawar | 9 min | 07619 |
| | | | 12 min | 01604 |
| | | | 1077/19 min | 01608 |
| | | | 20 min | 00613 |
| | | | | 66666 |
| | | | Total | 11604 |
| | | | | 66666 |

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT& ESTATES DEPARTMENT.

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| S. No. | Name of Officer/Official with designation | Name of Hotel facility availed by Officer/Official during Summer Season, 2020 | Total period of stay in Hotel w. e. f. _____ up to _____ | Remarks, if any |
|--------|---|---|--|-----------------|
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |

(Sd.) KEWAL KRISHAN SHARMA, KAS,
Assistant Director, Estates.



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THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 14th Jan., 2021/24th Pausa, 1942. [No. 42
Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

Subject : Joining Report.

It is to inform your goodself that in compliance to Order No. 628/GS
dated 03-12-2020 of Honable High Court of J&K, undersigned has
assumed the charge of the Secretary, District Legal Services Authority,
Rajouri today A. N. i. e. on 14th of December, 2020. This is for the
information of your goodself.

(Sd.) SURINDER KUMAR THAPA,

Secretary/Sub-Judge,
District Legal Services Authority,
Rajouri.

78 The J&K Govt. Gazette, 14th Jan., 2021/24th Pausa, 1942. [No. 42
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Certified that we have in the afternoon of this day respectively made over and received charge of the Office of Chief Medical Officer, Health and Family Welfare, Doda along with cash balance lying in Account No. CD-509 of Jammu and Kashmir Bank, Branch Ex-Doda as on 31-11-2020 A. N. of Rs. 95/- (Rupees Ninty five) only last entry made in the cash book as well as drawal register.

The closing balance as on 30-11-2020 A. N. as per Cash Book and a per bank statement is Rs. 95/- (Rupees Ninety-five) only.

Memo of the balane for which responsibility is accepted by the Officer, Receiving Charge.

Permanent Advance : Rs. 95/- (Eupees Ninety-five) only.

Station : Doda.

Dated : 01-12-2020.

(Sd.)

Chief Medical Officer,
Health and Family Welfare, Doda.

Relieved Officer.

(Sd.)

Chief Medical Officer,
Health and Family Welfare, Doda.

Relieving Officer.



THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 14th Jan., 2021/24th Pausa, 1942. [No. 42

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by the Heads of Departments.

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THE JAMMU AND KASHMIR STATE BOARD OF
SCHOOL EDUCATION, NEW CAMPUS, BEMINA, SRINAGAR.

Notice

The candidate whose particulars are mentioned below is claiming to have lost/gutted his Original and as well as Duplicate Qualification Certificate/s issued by J&K State Board of School Education, under serial Nos. 52960 and 2845 respectively, with following particulars :ô

- | | |
|------------------|-----------------------------|
| 1. Name | Bashir Ahmad Wani |
| 2. Parentage | Khaliq Wani |
| 3. Residence | Naru Pora, District Pulwama |
| 4. Date of Birth | 26-06-1969 |
| 5. Roll No. | 662556 |
| 6. Session | OctoberóNovember 1986 |
| 7. Result | Pass |

Now, the candidate has applied for ô2nd Duplicate Qualification Certificate.ö Before the same is processed and provided to the concerned candidate, any person/s having any objections in this regard, may please

file the same before the Secretary, BOSE or to the undersigned within a period of seven days from the date of issue of this notice.

Besides, the above referred both Qualification Certificates be treated as cancelled.

(Sd.)

Assistant Secretary/Deputy Secretary,
Certificates, K. Div.

JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION,
RESHAM GHAR COLONY, BAKSHI NAGAR, JAMMU-180001.

Subject : Deficiency of documents of the candidates who have applied for the post of Assistant Professor (Lecturer), Community Medicine in the Government Medical College, Baramulla, Rajouri, Doda and Kathua Submission of deficient documents thereof.

Notice

Dated 16-12-2020.

Whereas, the J&K Public Service Commission vide Notification No. 10-PSC(DR-P) of 2019 dated 08-07-2019 (1st Special Drive), among other posts, invited online applications for 05 posts of Assistant Professor (Lecturer) Community Medicine in Government Colleges Baramulla (RBA-01), Rajouri (RBA-01), Doda (OM-01, RBA-01) and Kathua (RBA-01), on the prescribed format from the permanent residents of Jammu and Kashmir possessing the prescribed qualifications ; and

Whereas, in response to the ibid Notification, the Commission received 06 application forms in the said discipline ; and

Whereas, after scrutiny of the application forms it has been found that the following candidates have not submitted the requisite documents as indicated against each :

GMC Baramulla/Kathua/Doda/Rajouri

| S. No. | Barcode/Reg. No. | Name | Deficiency |
|--------|------------------|---------------|----------------------|
| 1. | 19012211000001 | Ghulam Hassan | Apply through Proper |
| | 19012214900001 | Khatana | Channel |

| 1 | 2 | 3 | 4 |
|-------------------------------------|-------------------|--|-------------------|
| ô ô ô ô ô ô ô ô ô | ô ô ô ô ô ô ô ô ô | ô ô ô ô ô ô ô ô ô | ô ô ô ô ô ô ô ô ô |
| 2. M-1 | Omair Aziz Wani | Result notification of PG | |
| 3. 19012209300001 19012212800001 | Wahida Kouser | Result notification of PG | |
| 4. 19012211000002 | Feroz Ahmad Wani | 1. Hard copy of online application form 2. DoB certificate 3. Permanent Resident Certificate 4. Marks Sheet of MBBS. 5. MBBS Degree 6. Internship completion certificate 7. MD/MS Degree/ DNB 8. Registration of J&K Medical Council of (MBBS, MD/DNB) 9. Result Notification of PG 10. 2 Years Experience certificate as Tutor/Registrar/ Demonstrator or a Senior Resident from a recognized Teaching Medical Institution recognized by the Medical Council of India or the University of Kashmir/Jammu/ SKIMS | |

Now, therefore, the above candidates, in whose case the deficiency of documents have been found, are hereby advised to submit their deficient documents in the Office of Jammu and Kashmir Public Service Commission, Solina, Srinagar/Resham Ghar Colony, Jammu within 10 (ten) days from the date of issuance of this Notice failing which their candidature shall be rejected without any further notice.

(Sd.) MUSHTAQ AHMAD DAR, KAS,

Additional Secretary,
J&K Public Service Commission.

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Notice

I, Baldev Singh S/o Balbir Singh R/o Chatha Farm Near SKAUST, Tehsil Jammu South, District Jammu have applying for correction of my father name which has been wrongly written in my PAN Card as Mian Singh instead of correct name Balbir Singh. Objection, if any, may be conveyed to concerned authority within 7 days from the date of publication of this notice.

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IN THE COURT OF SPECIAL MOBILE MAGISTRATE, PT&E,
SRINAGAR.

Present Miss Umi Kulsoom

J. O. Code : JK00134

File No. 156/M D. O. I. : 07-11-2020 D. O. D. : In Trial

In the care of : State Through FIR : 40/2008, P/S Kothibagh,
under sections 407, 419, 420, 201 R. P. C.

V/s

Zahoor Ahmed Qadri and others

(Accused Persons)

Warrant of arrest under section 512 Cr. P. C. against accused namely Bilal Ahmed Dar S/o Ghulam Hassan Dar R/o Gosu, Pulwama.

To : Department of Police, Jammu and Kashmir the above titled challan is presented by police station concerned before this court in the abuse of accused person namely Bilal Ahmed Dar S/o Ghulam Hassan Dar R/o Gosu, Pulwama under section 512 Cr. P. C. whereby the accused person has gone underground and is found nowhere in the territory

of Jammu and Kashmir since a long time and as such has evaded the arrest with this regard the same SHO concerned has deposed his statement declaring the accused as absconding.

As such you are directed to arrest the above named accused person if found anywhere in the territory of J&K and within the jurisdiction of your department, be arrested and be brought before this court. The warrant shall remain in force till extended.

Announced :

07-11-2020.

(Sd.)

Special Mobile Magistrate,
Passenger Tax, Kmr. Province,
Srinagar.

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GOVERNMENT OF JAMMU AND KASHMIR,
POLICE HEADQUARTERS, JAMMU AND KASHMIR,
SRINAGAR.

CIRCULAR

Subject :ô Providing Assistance to ANTF by District Police in conduct
of Drug Related Operations.

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Anti-Narcotic Task Force (ANTF) has been created within the Crime Branch as a Special Unit for dealing with NDPS cases holistically. The said Task Force is charged with the responsibility of gathering information, developing intelligence, conducting raids, searches and seizures, arresting drug traffickers and their associates and investigating important and serious cases of NDPS.

While the ANTF works under the overall supervision of Crime Branch Headquarters, J&K, it is to be appreciated that being part of Jammu and Kashmir Police it has to be rendered all assistance and support by the District Police concerned whenever it so requires for conducting operations based on intelligence generated by it.

The SSP, ANTF shall share its intelligence with District SSP concerned and seek support and assistance as per its requirements for conducting operations.

Further, the district SSsP shall also associate ANTF in investigation of serious cases of NDPS which are registered by the District Police.

The Zonal IGsP, Range DIsG and District SSsP are directed to ensure the above.

(Sd.)

Director General of Police,
J&K, Srinagar.

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GOVERNMENT OF JAMMU AND KASHMIR,
DIRECTORATE OF INDUSTRIES AND COMMERCE
(REGISTRAR OF SOCIETIES/FIRMS, JAMMU)
UDYOG BHAWAN, RAIL HEAD COMPLEX, JAMMU.

Notice

It is notified for the information of General Public that ôM/s Harnam Dass & Co.ö located at Shop No. 33, South Block, Bahu Plaza, Jammu, J&K has applied for recording changes in the constitution of their firm under section 63 of öThe Partnership Act, 1932ö, whereby (1) Sh. Harnam Dass S/o Lt. Sh. Sohan Lal R/o H. No. 96, Sector 7, Channi Himmat, Jammu, J&K has expired on 16-06-2018 and his name is proposed to be deleted w. e. f. 01-04-2019. Before, the changes are recorded in the posting register of the Registrar of Firms, Jammu, any person/persons having any objections shall file the same within 10 days from the date of publication of this notice in the Office of Registrar of Societies/Firms, Directorate of Industries and Commerce, Udyog Bhawan, Rail Head Complex, Jammu.

(Sd.)

Registrar,
Societies/Firm, J&K Government,
Jammu.



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 14th Jan., 2021/24th Pausa, 1942. [No. 42

Separate paging is given to this part in order that it may be filed as a separate compilation.

ADVERTISEMENTS—C

JAMMU AND KASHMIR POLICE HEADQUARTERS (Provision Section).

Extension Notice

In view of administrative reasons, the last date for receiving of bids and date for opening of technical bids of e-NIT No. 51 of 2020 dated 19-11-2020 floated by this Headquarters for the installation of CCTV Surveillance System at Raj Bhawan, Srinagar are re-scheduled as under :

1. Last date of receipt of tenders = 02-01-2021 up to 1800 hours.
2. Date of opening of technical bids = 04-01-2021 at 1100 hours.

The other terms and conditions of the NIT shall remain the same.

(Sd.) RAYEES MOHAMMAD BHAT IPS,

AIG Police (Provision-Transport)
For Director General of Police,
PHQ, J&K, Jammu.

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104 The J&K Govt. Gazette, 14th Jan., 2021/24th Pausa, 1942. [No. 42
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POLICE HEADQUARTERS, JAMMU AND KASHMIR

(Provision Section).

Tender Cancellation Notice

Due to various technical/proccedural reasons, NIT No. 77 of 2019
dated 05-10-2019 floated by this Hqrs. for hiring of Helicopter Services
for J&K Police/CAPF is hereby cancelled.

Fresh e-Tender is being floated for the purpose on J&K UTs
e-Procurement Portal www.jktenders.gov.in.

(Sd.) RAYEES MOHAMMAD BHAT IPS,

AIG (Provision and Transport)
For Director General of Police,
J&K, Jammu.

رجسٹرڈ نمبر جے کے۔ 33



सत्यमेव जयते

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 133۔ جموں مورخہ 14 جنوری 2021ء بمطابق 24 پوسا 1942۔ ویروار نمبر 42

اشتہارات

از عدالت پیشل جج ٹاڈا / پوٹا سرینگر

سرکار بنام محمد شفیق بٹ ولد غلام قادر بٹ ساکنہ دیارونی بٹہ مالو وغیرہ

علت نمبر 93 سال 2018ء تھانہ پولیس شہید گنج سرینگر

بجرائم زیر دفعات 302, 307 RPC, 7/27 I.A. Act

16, 18, 19, 38, 39 ULA (P) Act

وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ض ف

بخلاف ملزم : عباس شیخ ولد غلام حسن شیخ ساکنہ رام پورہ کیموہ کولگام

بنام اہلکاران پولیس جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزم مسمی عباس شیخ ولد غلام حسن شیخ ساکنہ رام پورہ کیموہ کی سردست دستیابی ممکن نہ ہے چونکہ ملزم مذکور کے خلاف وارنٹ ہا عدالت ہذا سے اجراء ہوئے۔ تا حال ملزم مذکور کا کوئی اتہ پتہ نہ چلا۔ اس نسبت تعمیل کنندہ کا بیان قلمبند کیا گیا۔ جسمیں اُس نے اظہار کیا کہ ملزم کی دستیابی سردست ممکن نہ ہے۔

لہذا عدالت ہذا کو اطمینان ہوا کہ ملزم جان بوجھ کر روپوش ہو رہا ہے۔ اسلئے تمام اہلکاران پولیس جموں و کشمیر کو بذریعہ وارنٹ عام مطلع کیا جاتا ہے کہ ملزم کی دستیابی جب بھی جس جگہ بھی ممکن ہو سکے تو اس صورت میں ملزم مذکور کو گرفتار کر کے عدالت ہذا میں پیش کریں وارنٹ عام تا دستیابی ملزم رواں ہے۔ تحریر

سرکار بنام جنید احمد ڈار ولد محمد شفیع ساکن بونیار وا قورہ وغیرہ

علت نمبر 79 سال 2019ء تھانہ پولیس صدر سرینگر

بجرائم زیر دفعات 307,325 RPC,7/27 I. A Act

16,18,20,38,39 ULA(P) Act

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم : سمیر احمد ڈار ولد محمد سبحان ساکن گاندھی باغ کا کا پورہ

بنام اہلکاران پولیس جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزم مسمی سمیر احمد ڈار ولد محمد سبحان ڈار ساکنہ گاندھی باغ کا کا پورہ کی سردست دستیابی ممکن نہ ہے چونکہ ملزم مذکور کے خلاف وارنٹ ہا عدالت ہذا سے اجراء ہوئے۔ تا حال ملزم مذکور کا کوئی اتہ پتہ نہ چلا۔ اس نسبت تعمیل کنندہ کا بیان قلمبند کیا گیا۔ جسمیں اُس نے اظہار کیا کہ ملزم کی دستیابی سردست ممکن نہ ہے۔

لہذا عدالت ہذا کو اطمینان ہوا کہ ملزم جان بوجھ کر روپوش ہو رہا ہے۔ اسلئے تمام اہلکاران پولیس جموں و کشمیر کو بذریعہ وارنٹ عام مطلع کیا جاتا ہے کہ ملزم کی دستیابی جب بھی جس جگہ بھی ممکن ہو سکے تو اس صورت میں ملزم مذکور کو گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ عام تا دستیابی ملزم رواں ہے۔ تحریر

سرکار بنام محمد شفیق بٹ عرف مولوی ولد غلام قادر

ساکنہ دیارونی بٹہ مالو سرینگر

علت نمبر 39 سال 2018ء تھانہ پولیس رام منشی باغ سرینگر

جرائم زیر دفعات 120-B,392 RPC, 7/25 A. Act, 30 P. Act

(R/W -3 PEPO) 16,18,20, 39 ULA (P) Act

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم : محمد عباس شیخ ولد غلام حسن شیخ ساکنہ رام پورہ کیموہ

بنام اہلکاران پولیس جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزم مسمی محمد عباس شیخ ولد غلام حسن شیخ ساکنہ رام پورہ کیموہ کی سردست دستیابی ممکن نہ ہے چونکہ ملزم مذکور کے خلاف وارنٹ ہا عدالت ہذا سے اجراء ہوئے۔ تا حال ملزم مذکور کا کوئی اتہ پتہ نہ چلا۔ اس نسبت تعمیل کنندہ کا بیان قلمبند کیا گیا۔ جسمیں اُس نے اظہار کیا کہ ملزم کی دستیابی سردست ممکن نہ ہے۔

لہذا عدالت ہذا کو اطمینان ہوا کہ ملزم جان بوجھ کر روپوش ہو رہا ہے۔ اسلئے تمام اہلکاران پولیس جموں و کشمیر کو بذریعہ وارنٹ عام مطلع کیا جاتا ہے کہ ملزم کی دستیابی جب بھی جس جگہ بھی ممکن ہو سکے تو اس صورت میں ملزم مذکور کو گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ عام تا دستیابی ملزم رواں ہے۔ تحریر

دستخط : سپیشل جج ٹاڈا / پوٹا سرینگر۔

EXTRAORDINARY

REGD. NO. JK 33



THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 132] Jammu, Thu., the 5th Dec., 2019/14th Agra., 1941. [No. 36-1

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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THE JALLIANWALA BAGH NATIONAL MEMORIAL
(AMENDMENT) ACT, 2019

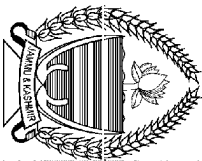
(No. 39 of 2019)

[5th December, 2019.]

An Act further to amend the Jallianwala Bagh National Memorial
Act, 1951.

Be it enacted by Parliament in the Seventieth Year of the Republic
of India as follows :ô

1. *Short title and commencement.*—This Act may be called the
Jallianwala Bagh National Memorial (Amendment) Act, 2019.



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 131] Jammu, Fri., the 15th Feb., 2019/26th Magha, 1940. [No. 46-1

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

6 6 6 6

THE APPROPRIATION ACT, 2019

(Act No. 4 of 2019)

[15 th February, 2019.]

An Act to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2018-19.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows : 6

1. *Short title.*—This Act may be called the Appropriation Act, 2019.
2. *Issue of Rs. 198831,36,00,000 out of the Consolidated Fund of India for the financial year 2018-19.* —From and out of the

2 The J&K Govt. Gazette, 15th Feb, 2019/26th Magha, 1940. [No. 46-1

Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of One lakh ninety-eight thousand eight hundred thirty-one crore and thirty-six lakh rupees towards defraying the several charges which will come in course of payment during the financial year 2018-19 in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

| No. of Vote | Services and purposes | | Sums not exceeding | | Total |
|----------------|---|---------|------------------------|--|-----------------|
| | | | Voted by Parliament | Charged on the Consolidated Fund | |
| 1 | 2 | | 3 | 4 | 5 |
| | | | Rs. | Rs. | Rs. |
| 1 | Department of Agriculture, Cooperation and Farmers' Welfare | Revenue | 19387,02,00,000 | ... | 19387,02,00,000 |
| 2 | Department of Agricultural Research and Education ... | Revenue | 2,00,000 | ... | 2,00,000 |
| 3 | Department of Animal Husbandry, Dairying and Fisheries | Revenue | 201,16,00,000 | ... | 201,16,00,000 |
| | | Capital | 1,00,000 | ... | 1,00,000 |
| 4 | Atomic Energy | Revenue | 4,00,000 | ... | 4,00,000 |
| | | Capital | 2375,50,00,000 | ... | 2375,50,00,000 |
| 5 | Ministry of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) | Revenue | 53,43,00,000 | ... | 53,43,00,000 |
| 7 | Department of Fertilisers | Revenue | 1,00,000 | ... | 1,00,000 |

| | | | | |
|--|---------|----------------|------------------|------------------|
| 20 Defence Services (Revenue) | Revenue | 1403,97,00,000 | .. | 1403,97,00,000 |
| 21 Capital Outlay on Defence Services | Capital | ... | 97,42,00,000 | 97,42,00,000 |
| 24 Ministry of Drinking Water and Sanitation | Revenue | 5391,34,00,000 | ... | 5391,34,00,000 |
| 25 Ministry of Earth Sciences | Revenue | 2,00,000 | ... | 2,00,000 |
| | Capital | 1,00,000 | ... | 1,00,000 |
| 26 Ministry of Electronics and Information Technology .. | Revenue | 20,91,00,000 | ... | 20,91,00,000 |
| 27 Ministry of Environment, Forests and Climate Change | Revenue | 1,00,000 | ... | 1,00,000 |
| 29 Department of Economic Affairs | Revenue | 4,00,000 | ... | 4,00,000 |
| | Capital | 3,00,000 | ... | 3,00,000 |
| 31 Department of Financial Services | Capital | 4500,00,00,000 | ... | 4500,00,00,000 |
| 34 Direct Taxes | Revenue | 299,96,00,000 | ... | 299,96,00,000 |
| 35 Indirect Taxes | Capital | 2,00,000 | ... | 2,00,000 |
| 36 Indian Audit and Accounts Department | Capital | 25,55,00,000 | ... | 25,55,00,000 |
| CHARGED.ô Interest Payments | Revenue | ... | 9196,65,00,000 | 9196,65,00,000 |
| CHARGED.ô Repayment of Debt | Capital | ... | 106594,12,00,000 | 106594,12,00,000 |

| 1 | 2 | 3 | 4 | 5 |
|--|---------|----------------|---------------|----------------|
| | | Rs. | Rs. | Rs. |
| 65 Ministry of Mines | Revenue | 1,00,000 | ... | 1,00,000 |
| 66 Ministry of Minority Affairs | Revenue | 3,00,000 | ... | 3,00,000 |
| 67 Ministry of New and Renewable Energy | Revenue | 2,00,000 | ... | 2,00,000 |
| 72 Ministry of Petroleum and Natural Gas | Revenue | 1364,19,00,000 | ... | 1364,19,00,000 |
| 73 Ministry of Planning | Revenue | 1,00,000 | ... | 1,00,000 |
| 74 Ministry of Power | Revenue | 2850,00,00,000 | ... | 2850,00,00,000 |
| | Capital | 900,00,00,000 | ... | 900,00,00,000 |
| CHARGED.ô Staff, Household and Allowances of the President | Revenue | ... | 42,00,000 | 42,00,000 |
| 77 Rajya Sabha | Revenue | 23,37,00,000 | ... | 23,37,00,000 |
| 80 Ministry of Railways | Revenue | .. | 46,00,00,000 | 46,00,00,000 |
| | Capital | 1,00,000 | 191,65,00,000 | 191,66,00,000 |
| 81 Ministry of Road Transport and Highways | Revenue | 2,00,000 | ... | 2,00,000 |
| | Capital | 9683,50,00,000 | ... | 9683,50,00,000 |
| 82 Department of Rural Development | Revenue | 2,00,000 | ... | 2,00,000 |
| 84 Department of Science and Technology | Revenue | 1,00,000 | ... | 1,00,000 |

| | | | | | |
|----|--|---------|---------------|--------------|---------------|
| 85 | Department of Biotechnology | Revenue | 2,00,000 | ... | 2,00,000 |
| 86 | Department of Scientific and Industrial Research | Revenue | 1,00,000 | ... | 1,00,000 |
| 87 | Ministry of Shipping | Revenue | 1,00,000 | ... | 1,00,000 |
| | | Capital | 125,00,00,000 | ... | 125,00,00,000 |
| 88 | Ministry of Skill Development and Entrepreneurship | Revenue | 3,00,000 | ... | 3,00,000 |
| 89 | Department of Social Justice and Empowerment | Revenue | 80,02,00,000 | ... | 80,02,00,000 |
| 90 | Department of Empowerment of Persons with Disabilities ... | Revenue | 17,74,00,000 | ... | 17,74,00,000 |
| 91 | Department of Space | Revenue | 168,07,00,000 | ... | 168,07,00,000 |
| | | Capital | 248,47,00,000 | .. | 248,47,00,000 |
| 92 | Ministry of Statistics and Programme Implementation | Revenue | 2,00,000 | ... | 2,00,000 |
| 93 | Ministry of Steel | Revenue | 1,24,00,000 | ... | 1,24,00,000 |
| 94 | Ministry of Textiles | Revenue | 3,00,000 | ... | 3,00,000 |
| | | Capital | 13,00,00,000 | ... | 13,00,00,000 |
| 96 | Ministry of Tribal Affairs | Revenue | 2,00,000 | 20,00,00,000 | 20,02,00,000 |

| 1 | 2 | 3 | 4 | 5 |
|---|---------|-----------------|------------------|------------------|
| | | Rs. | Rs. | Rs. |
| 97 Ministry of Water Resources, River Development and Ganga Rejuvenation | Revenue | 1,00,000 | ... | 1,00,000 |
| 98 Ministry of Women and Child Development | Revenue | 1,00,000 | ... | 1,00,000 |
| 99 Ministry of Youth Affairs and Sports | Revenue | 2,00,000 | ... | 2,00,000 |
| Total : | | 78874,50,00,000 | 119956,86,00,000 | 198831,36,00,000 |



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

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Vol. 132] Jammu, Tue., the 9th July, 2019/18th Asad., 1941. [No. 14-2

oo

Separate paging is given to this part in order that it may be filed as a
separate compilation.

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PART III

Laws, Regulations and Rules passed thereunder.

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THE CENTRAL EDUCATIONAL INSTITUTIONS
(RESERVATION IN TEACHERSø CADRE) ACT, 2019

(Act No. 10 of 2019)

[9th July, 2019.]

An Act to provide for the reservation of posts in appointments by direct recruitment of persons belonging to the Scheduled Castes, the Scheduled Tribes, the socially and educationally backward classes and the economically weaker sections, to teachersø cadre in certain Central Educational Institutions established, maintained or aided by the Central Government, and for matters connected therewith or incidental thereto.

2 The J&K Govt. Gazette, 9th July, 2019/18th Asad., 1941. [No. 14-2
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Be it enacted by Parliament in the Seventieth Year of the Republic
of India as follows :ô

1. *Short title and commencement.*ô (1) This Act may be called
the Central Educational Institutions (Reservation in Teachersø Cadre)
Act, 2019.

(2) It shall be deemed to have come into force on the 7th day of
March, 2019.

2. *Definitions.*—In this Act, unless the context otherwise
requires,ô

(a) ôappropriate authorityö means the University Grants
Commission established under the University Grants Commission
Act, 1956 (3 of 1956), or any other authority or body established
by or under a Central Act for the determination, coordination or
maintenance of the standards of higher education in any Central
Educational Institution ;

(b) ôbranch of studyö means a branch of study leading to
three principal levels of qualifications at bachelors (under-
graduate), masters (postgraduate) and doctoral levels ;

(c) ôCentral Educational Institutionö meansô

(i) a University established or incorporated by or under a
Central Act ;

(ii) an institution of national importance established by
an Act of Parliament ;

(iii) an institution, declared as an institution deemed to be
University under section 3 of the University Grants
Commission Act, 1956 (3 of 1956), and maintained
by or receiving aid from the Central Government ;

(iv) an institution maintained by or receiving aid from the
Central Government, whether directly or indirectly,
and affiliated to an institution referred to in sub-clause
(i) or sub-clause (ii), or a constituent unit of an
institution referred to in sub-clause (iii) ; and

(v) an educational institution established by the Central Government under the Societies Registration Act, 1860 (21 of 1860) ;

(d) "direct recruitment" means the process of appointing faculty by inviting applications against public advertisement from persons eligible to teach in a Central Educational Institution ;

(e) öeconomically weaker sectionsö means such weaker sections as are referred to in Explanation to clause (6) of Article 15 of the Constitution ;

(f) "faculty" means the faculty of a Central Educational Institution ;

(g) "Minority Educational Institution" means an institution established and administered by the minorities under clause (1) of Article 30 of the Constitution and so declared by an Act of Parliament or by the Central Government or declared as a Minority Educational Institution under the National Commission for Minority Educational Institutions Act, 2004 (2 of 2005);

(h) *sanctioned strength* means the number of posts in teachers cadre approved by the appropriate authority ;

(i) "Scheduled Castes" means the Scheduled Castes notified under article 341 of the Constitution ;

(j) "Scheduled Tribes" means the Scheduled Tribes notified under Article 342 of the Constitution ;

(k) "socially and educationally backward classes" means such backward classes as are so deemed under Article 342A of the Constitution ;

(l) òteachers' cadreö means a class of all the teachers of a Central Educational Institution, regardless of the branch of study or faculty, who are remunerated at the same grade of pay, excluding any allowance or bonus.

3. *Reservation of posts in recruitments by Central Educational Institutions.*—(1) Notwithstanding anything in any other law for the time being in force, there shall be reservation of posts in

direct recruitment out of the sanctioned strength in teachersø cadre in a Central Educational Institution to the extent and in the manner as may be specified by the Central Government by notification in the Official Gazette.

4. *Act not to apply in certain cases.*—(1) The provisions of section 3 shall not apply to

(b) a Minority Educational Institution.

(2) The Central Government may, by notification in the Official Gazette, amend the Schedule referred to in clause (a) of sub-section (1) from time to time.

5. *Laying of notifications before Parliament.*—Every notification made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or both Houses agree that the notification should not be made, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

6. *Repeal and savings*—(1) The Central Educational Institutions (Reservation in Teachersø Cadre) Ordinance, 2019 (Ordinance 13 of 2019), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

2. Tata Institute of Fundamental Research, Mumbai.
3. North-Eastern Indira Gandhi Regional Institute of Health and Medical Science, Shillong.
4. National Brain Research Centre, Manesar, Gurgaon.
5. Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore.
6. Physical Research Laboratory, Ahmedabad.
7. Space Physics Laboratory, Thiruvananthapuram.
8. Indian Institute of Remote Sensing, Dehradun.



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Thu., the 12th Nov., 2020/21st Kart., 1942. [No. 33-8
 Separate paging is given to this part in order that it may be filed
 as a separate compilation.

Part II—B
 Notifications, Notices and Orders by Heads of Departments.

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GOVERNMENT OF JAMMU AND KASHMIR,
 INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
 J&K AT SRINAGAR/JAMMU.

File No. :1013/ITLC/2018

Date of Institution : 04-04-2018

Date of Award : 25-09-2020

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In the Case of :ô

M/s Drivers and Conductors Union
 of Delhi Public School,
 Delina, Baramulla
 H/O : Delina, Baramulla,
 (Through its Secretary)
 (Petitioners through Mohd Abdullah Saraf
 authorized representative)

Versus

1. Sheikh Mosin Iqbal
 Province Chairman, DPS,
 Delina, Baramulla.
 2. Dr. Riyaz Ahmad Dar
 Director, DPS,
 Delina, Baramulla
 3. Principal, DPS,
 Delina, Baramulla.

(Non-applicants/Respondents)

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In the matter of :ô Claim Petition : Application under section 10-1 read with
 Section 2A of Industrial Dispute Act, 1947.

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2 The J&K Govt. Gazette, 12th Nov., 2020/21st Kart., 1942. [No. 33-8
Coram : Mohd Ali Khan J&K0034.

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AWARD

Section 10 of Industrial Dispute Act empowers Govt. if it is of the opinion that any industrial dispute exists or is apprehended, it may at any time in writing refer the dispute or any matter appearing to be connected with or relevant to the dispute to the Industrial Tribunal or Labour Court for adjudication.

However, Section 2A sub-clause (2) after the amendment Act, 2010 empowers the workman to make a application direct to Labour Court or Industrial Tribunal for adjudication of the dispute referred to therein after forty five days from the date he has made an application to the Conciliation Officer of the appropriate Govt. for conciliation of the dispute and on receipt of such application, the Labour Court or Tribunal shall have the powers to adjudicate upon the dispute as if it were a dispute referred to it by appropriate Government.

In the instant case on 26-03-2018 this court received a reference from the Govt. of Jammu and Kashmir, Labour and Employment Deptt., Civil Secretariat, Jammu dated 22-03-2018.

In this reference it is stated whereas the applicants (Drivers and Conductors Union of Delhi Public School, Delina, Baramulla through their President) filed an application on 20-04-2017 before Conciliation Officer ALC, Baramulla stating therein that they were appointed as drivers and conductors on different dates since 2009 in Delhi Public School (DPS), Delina, Baramulla and have along been discharging their duties to the entire satisfaction of the school.

Whereas their services were terminated by school without serving them proper notices and conducting inquiry. Whereas they raised a dispute before Conciliation Officer (Assistant Labour Commissioner), Baramulla against the Management of Delhi Public School, Delina, Baramulla under Industrial Dispute Act, 1947 for holding conciliation proceedings in the matter. That whereas ALC, Baramulla has submitted his report regarding failure of conciliation proceedings with the request that case be referred to Industrial Tribunal/Labour Court for adjudication. Whereas Govt. is of opinion that a Industrial Dispute exists between parties.

That the applicant drivers and conductors are paid meager wages, i. e. Rs. 5000/- for drivers and Rs. 2700/- to Rs. 2800/- for conductors.

4 The J&K Govt. Gazette, 12th Nov., 2020/21st Kart., 1942. [No. 33-8
That the applicant drivers and conductors projected their demand for enhancement of their wages as are prevalent in other institutions like DPS, Srinagar (Pantha Chowk) and DPS, Budgam, who are paying higher wages to the drivers and conductors. But the Management did not accept their demand.

That meanwhile, the Labour and Employment Department, Govt. of Jammu and Kashmir, Civil Secretariat, Jammu, issued a notification through SRO-3 dated 04-01-2013, whereby the daily rates of wages have been revised. When the applicants approached the Management for implementation of the daily rates of wages as per the said SRO-3, they were refused by the Management to implement the same.

That the applicant drivers and conductors, after rendering more than five years service in the Delhi Public School, Delina, Baramulla, formed a Union under the name and style M/s Drivers and Conductors Union of Delhi Public School, Delina, Baramulla, for safeguarding their lawful and legitimate rights. The said Union approached the Labour Commissioner, Jammu and Kashmir for registration of the said union.

The certificate issued by the Labour Commissioner reads as under:

It is hereby certified that M/s Drivers and Conductors Union Delhi Public School, Delina, Baramulla, H. O. Sangrama, District Baramulla has been registered under the Trade Union Act, 1926 this 23rd day of February, 2015.

That when the fact of registration of the Union came to the knowledge of the Management, it became furious and threatened the union of its dire consequences.

The Management also issued a notice to the union on 08-05-2015 wherein it is stated that through the medium of this notice, Union is advised to disband and dissolve the so called Delhi Public School (DPS) Drivers and Conductors Union, within five days from the receipt of this notice and to refrain from indulging in any similar activities in future and vitiate the atmosphere of the school.

That the attitude of the Management towards the present Trade Union is very hostile. The Management finds in the workers organization nothing but a challenge to its power and authority.

That it is the constitutional and legal right of the workman to organize and obtain registration.

That it is the case of unfair labour practice on the part of the Management to interfere workman in the exercise of their right to organize and form trade union for the purpose of collective bargaining.

That the applicants approached the Conciliation Officer (Assistant Labour Commissioner, Baramulla) through an application dated 20-04-2017, but the Conciliation Officer failed in bringing about any settlement and submitted failure report before the Government which referred the matter of dispute before this Court by SRO-137 dated 22-03-2018, with the following reference for adjudication :ô

Therefore, the retrenchment of the applicant workman is illegal and invalid. In the light of above facts, it is prayed that the applicant workman may be reinstated with back wages and with a direction for enhancement of their monthly wages as is prevalent in other like institutions located in Srinagar and in other parts of the valley.

AR of petitioners submitted that non-applicants Management by Delhi Public School, Delina, Baramulla deployed 23 buses for carrying residents to and fro and for plying these buses, the Management engaged 23 Drivers and Conductors since 2009 and onward and in support of this argument submitted Annexure A, B, C and D. He further submitted that all the witnesses examined on behalf of the applicant Union have clearly and fully supported the petition of the petitioners filed in the court. That all the drivers and conductors were performing their duties sincerely and dedicately and even the services of petitioners were appreciated by Management of respondents school. That applicant Drivers and Conductors projected their demands for enhancement of their wages as are prevalent in the Institutions like DPS, Srinagar and DPS, Budgam who are paying higher wages to the Drivers and Conductors but Management did not accept their demand. AR of the petitioner Union further submitted that Labour and Employment Department,

6 The J&K Govt. Gazette, 12th Nov., 2020/21st Kart., 1942. [No. 33-8
Govt. of Jammu and Kashmir, Civil Secretariat, Jammu issued a notification
through SRO-3 dated 04-01-2013 whereby the daily rates of wages have been
revised. When the applicants approached the Management for implementation
of daily rates of wages as per the said SRO-3, they were refused by the
Management to implement the same. Petitioners AR further submitted that
petitioners Drivers and Conductors after rendering more than five years
continuous services in the Delhi Public School, Delina, Baramulla formed a
Union under the name and style M/s Drivers and Conductors Union of Delhi
Public School, Delina, Baramulla for safe guarding their lawful and legitimate
rights. The said Union approached the Labour Commissioner, J&K who is
also the Registrar of Trade Unions for registration of the said Union. The
certificate issued by the Labour Commissioner/Registrar reads as under :ô

öIt is certified that M/s Drivers and Conductors Union of Delhi Public
School, Delina, Baramulla, HQ. Sangrama, District Baramulla has been
registered under the Trade Union Act, 1926 ; this 23rd day of February,
2015.ö

That when the fact of registration of the Union came into knowledge of
the Management, it became furious and threatened the union of dire
consequences again AR of petitioner submitted that Management also issued a
notice to the Union on 08-05-2015, wherein it is stated that through the medium
of this notice union is advised to dissolve the so called Delhi Public School
Drivers and Conductors Union within five days from receipt of this notice and
refrain from indulging in any similar activities in future. That the attitude of the
Management towards the present trade union is very hostile. That it is
constitutional and legal right of the workman to organize and obtain registration.
That it is a case of unfair labour practice on the part of the Management to
interfere workman in exercise of their right to organize and form Trade Union
for the purpose of collective bargaining. That Management terminated the
services of the Drivers/Conductors w. e. f. 30-06-2015 after serving them
notice on 28-05-2015. AR further submitted that applicants approached to
ALC, Baramulla for conciliation which failed and then Govt. by SRO-137
referred the reference for adjudication after framing the issues. That
Management has not paid the retrenchment compensation to the applicants
workmen and has violated section 25 F of the I. D. A., 1947. AR for the
petitioners further submitted that retrenchment without complying with section
25F would be void ab initio and such action would be entitle the workmen to
a declaration for continuation in service with full back wages.

No. 33-8] The J&K Govt. Gazette, 12th Nov., 2020/21st Kart., 1942. 7
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That it is established that non-applicant Management has illegally terminated the services of workmen Drivers and Conductors and petitioner/ applicants have satisfied both qualifications prescribed in section 25 F for claiming retrenchment compensation. That any condition for a valid retrenchment has not been satisfied as such termination of the applicants is void. It is submitted that notice dated 28-05-2015 issued by Management indicates the displeasure of the management on forming the Labour Union and has warned the Union leaders to refrain from indulging in any union activities in the establishment and in case of violation strict action will follow. AR finally submitted that petitioner be given full wages from the date of their termination and they be reinstated in their services back with all available benefit under the provisions of law under Industrial Dispute Act.

He cited the law in support of his arguments.

1. Mohan Lal V/s Bharat Electronic Ltd. (1981)3 sec 225.II) 1981 SCC (L&S) 478. From the perusal of Annexure A given to petitioners by Management of Delhi Public School, Delina, Baramulla dated 28-05-2015 it reflects that petitioners were advised to dissolve the so called union within 5 days from the receipt of notice and also warned them of punitive and monetary damages.

Perusal of Annexure-A1 dated 23-02-2015 it reflects that Registrar of Trade Unions, Labour Commissioner, J&K Govt., Jammu has registered the union of the petitioners in the name and style as M/s Drivers and Conductors Union of Delhi Public School, Delina, Baramulla.

Perusal of details of outstanding pay dues and employers share of GP Fund towards bus drivers of Delhi Public School, Baramulia reflects that from serial No. 1 to 22 all the drivers were the employees of the respondents.

The perusal of details of outstanding pay dues towards bus Conductors of Delhi Public School, Baramulla reflects that all the petitioners from serial No. 1 to 21 are the worker/conductors of the respondents.

The witness examined by the petitioner namely Gh. Rasool Bhat deposed that he was appointed by DPS, Baramulla as bus driver and Rs. 5000/- p. m. salary was fixed. Respondents appointed 23 drivers and 23 conductors and fixed their salary as Rs. 5000/- and 2800 p. m. respectively. In the year 2013 Govt. issued SRO No. 3 dated 04-01-2013 by which the wages of the workman has been raised whereas Management of the respondents school denied to raise the wages of their workman. Therefore, drivers and conductors formed a Union which was registered under Trade

8 The J&K Govt. Gazette, 12th Nov., 2020/21st Kart., 1942. [No. 33-8
Union Act by Labour Commissioner on 23-02-2015. On this Management
of the school of respondents got annoyed and issued a notice to dissolve the
union. Respondents did not allow the petitioner drivers and conductors and
terminated them without any notice pay and retrenchment compensation
and violated section 25 F of the Industrial Dispute Act. The 5 other witnesses
examined by the petitioners also stated the similarly and has corroborated
the other PWs examined by the petitioners and the claim petition filed by
the petitioners that due to formation of union of drivers and conductors the
Management of respondents school got annoyed whereas the said Union
was registered by Registrar of Trade Unions (Labour Commissioner, Govt.
of J&K) on 23-02-2015. Whereas respondents Management without notice
pay and retrenchment compensation terminated the petitioner in violation of
section 25 F of the Industrial Dispute Act, 1947.

Section 25 F prescribed the conditions precedent to retrenchment of
workmen. This conditions apply in case of retrenchment of an employee
who has been in continuous service for not less than one year (240 days).

The section prescribes three conditions for valid retrenchment

- (a) The workmen should be given one month notice in writing
indicating the reasons of retrenchment. The retrenchment
should be effected after expiry of period of notice. If no
notice given workman must be paid in lieu of notice.
- (b) The workman has been paid at the time of retrenchment
compensation, equivalent to fifteen days average pay for
every completed year of continuous service.
- (c) Notice in the prescribed manner is served on the appropriate
Govt. or such authority as may be prescribed by appropriate
Govt.

Respondent in the case in hand has not paid retrenchment compensation
nor has given the notice to appropriate Govt. under rule 76 before
the retrenchment of petitioners. As such has violated the conditions of
Section 25 F of IDA and rules framed thereunder.

In 2010 LLR 1291 M. P. High Court in Naveen Singh Bhadoriya
Versus State of M. P. & Ors. At para 11 observed that,

para 11. The question is whether the appellant/workman is still
entitled for the relief which was prayed before the Learned Labour
Court and whether the award passed by the Learned Labour Court

No. 33-8] The J&K Govt. Gazette, 12th Nov., 2020/21st Kart., 1942. 9
should be restored. In this context, we have gone through the statement of claim filed by the parties as well as the evidence of the parties before the Learned Labour Court from the original record, indeed, categorically it was stated by the workman/appellant that he had worked for continuous period of 240 days in a calendar year, Learned Labour Court while deciding Issue No.1 after appreciating and marshaling the evidence came to hold for considerable long period since 1985, the workman/appellant is serving as daily wager with the employer and, therefore, the action of the employer terminating the service of the appellant without following Section 25(F) and 25(G) of the Act is perverse and amounts to illegal termination. According to us, the Learned Labour Court has rightly directed to reinstate the workman/appellant with 50% back wages.ö

M/s Floortex Collection

V/s

Vikram Thapa

öHonöble Delhi High Court in case reported in 2016 LLR 899 at para 11 held thatöö

On a specific query by the court whether the reply of the petitioner at page 122 of the paper book, has been proved before the Industrial Adjudicator, the answer was in the negative. The learned counsel would submit, even though, reply was produced before the Industrial Adjudicator, but the same was not exhibited. If that be so, it is as good as, the said document has not been proved. Even otherwise, it is to be noted, no such offer was given by the petitioner during the pendency of the proceedings before the Industrial Adjudicator rather, the Management witness has deposed that the petitioner does not want to take the respondent back on duty as the respondent was involved in criminal matter pending in Kullu Court, Himachal Pradesh, the reliance placed by the learned counsel for the petitioner on the reply dated January 29, 2009, even though not proved, would not help the case of the petitioner that the petitioner had offered the respondent to join back his duties. The factum of the respondent being in the employment of the petitioner is not denied/disproved. It is also proved that the petitioner could not prove abandonment of duties by the respondent.ö

The Industrial Adjudicator has rightly drawn a presumption that the services of the respondent were illegally terminated. On a finding of loss of confidence in the respondent, the Industrial Adjudicator having awarded an amount of Rs. 1 Lakh to the respondent, it is not a fit case where this court,

10 The J&K Govt. Gazette, 12th Nov., 2020/21st Kart., 1942. [No. 33-8
in exercise of its power under Article 226 of the Constitution need to be
interfere with the impugned Award. The writ petition is dismissed.

From the perusal of Notices given by respondents dated 27-05-2015
petitioners namely Anayatullah, drivers, Ghularn Rasool Bhat, Hilal Ahmad
Gujri and Bilal Ahmad conductor attached with their written statements. It
reflects that the relationship of the petitioners association and respondent
school is not cardial and there is no confidence and trust between them.

Again since respondents are running a school and is not a factory/
establishment where all these petitioners can be reinstated and adjusted as
the respondents would have recruited other drivers and conductors to run
their buses from years 2015 when the petitioners were terminated.

Moreover the petitioners have not deposed in their statements that
after termination they are without job and employment. Thus in view of the
above stated facts and law this Tribunal is of opinion that 1st issue referred
by State Govt. that whether termination of the services of the petitioners
(workers) is illegal in terms of the relevant provisions of Industrial Dispute
Act has been proved and is decided in favour of petitioners and against the
respondents.

The finding of the II issue that if yes, to what relief the petitioner are
entitled to. Again in view of what has been stated and discussed above and
the law cited it is held that the order of reinstatement would not be appropriate
however, the petitioner are entitled to 50% of their claimed wages along
with retrenchment compensation.

Accordingly an award is passed in favour of petitioner and against the
respondent Management. Copy of the award be sent to Govt of J&K through
Commissioner/Secretary, Labour Department for information and publication
in Govt. Gazette. File shall be consigned to record after its due completion.

Announced: 25-09-2020.

(Sd.) MOHAMMAD ALI KHAN,

(District and Sessions Judge),
Presiding Officer,
Industrial Tribunal-cum-Labour Court,
J&K at Srinagar.

REGD. NO. JKô 33



Vol.133] Jammu, Fri., the 5th June, 2020/15th Jyai., 1942. [No. 10-7

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Reprints from the Government of India Gazette.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 5th June, 2020/Jyaishtha 15, 1942 (Saka)

THE FARMERSø PRODUCE TRADE AND COMMERCE
(PROMOTION AND FACILITATION)

ORDINANCE, 2020

(No. 10 of 2020)

Promulgated by the President in the Seventy-first Year of the Republic of India.

An Ordinance to provide for the creation of an ecosystem where the farmers and traders enjoy the freedom of choice relating to

sale and purchase of farmers' produce which facilitates remunerative prices through competitive alternative trading channels, to promote efficient, transparent and barrier-free inter-State and intra-State trade and commerce of farmers' produce outside the physical premises of markets or deemed markets notified under various State agricultural produce market legislations to provide a facilitative framework for electronic trading and for matters connected therewith or incidental thereto.

WHEREAS, Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, THEREFORE, in exercise of the powers conferred by clause (I) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :ô

CHAPTER I

Preliminary

1. *Short title and commencement.*— (1) This Ordinance may be called the Farmers Produce Trade and Commerce (Promotion and Facilitation) Ordinance, 2020.

(2) It shall come into force at once.

2. *Definition.*—In this Ordinance, unless the context otherwise requires,ô

(a) ðfarmersø produceö means,ð

- (i) foodstuffs including cereals like wheat, rice or other coarse grains, pulses, edible oilseeds, oils, vegetables, fruits, nuts, spices, sugarcane and products of poultry, piggery, goatery, fishery and dairy intended for human consumption in its natural or processed form ;
- (ii) cattle fodder including oilcakes and other concentrates ;
and
- (iii) raw cotton whether ginned or unginned, cotton seeds and raw jute ;

- (b) "electronic trading and transaction platform" means a platform set up to facilitate direct and online buying and selling for conduct of trade and commerce of farmers' produce through a network of electronic devices and internet applications, where each such transaction results in physical delivery of farmers' produce ;
- (c) "farmer" means a person engaged in the production of farmers' produce by self or by hired labour or otherwise, and includes the farmer producer organisation ;
- (d) "farmer producer organisation" means an association or group of farmers, by whatever name called,
 - (i) registered under any law for the time being in force ;
 - or
 - (ii) promoted under a scheme or programme sponsored by the Central or State Government ;
- (e) "inter-State trade" means the act of buying or selling of farmers' produce, wherein a trader of one State buys the farmers' produce from the farmer or a trader of another State and such farmers' produce is transported to a State other than the State in which the trader purchased such farmers' produce or where such farmers' produce originated ;
- (f) "intra-State trade" means the act of buying or selling of farmers' produce, wherein a trader of one State buys the farmers' produce from a farmer or a trader of the same State in which the trader purchased such farmers' produce or where such farmers' produce originated ;
- (g) "notification" means a notification published by the Central Government or the State Governments in the Official Gazette and the expressions "notify" and "notified" shall be construed accordingly ;
- (h) "person" includes
 - (a) an individual ;

[illegible]

- (b) a partnership firm ;
- (c) a company ;
- (d) a limited liability partnership ;
- (e) a co-operative society ;
- (f) a society ; or
- (g) any association or body of persons duly incorporated or recognised as a group under any ongoing programmes of the Central Government or the State Government ;
- (i) "prescribed" means prescribed by the rules made by the Central Government under this Ordinance ;
- (j) "Scheduled farmers' produce" means the agricultural produce specified under any State APMC Act for regulation ;
- (k) "State" includes the Union territory ;
- (l) "State APMC Act" means any State legislation or Union territory legislation in force in India, by whatever name called, which regulates markets for agricultural produce in that State ;
- (m) "trade area" means any area or location, place of production, collection and aggregation including
 - (a) farm gates ;
 - (b) factory premises ;
 - (c) warehouses ;
 - (d) silos ;
 - (e) cold storages ; or
 - (f) any other structures or places,from where trade of farmers' produce may be undertaken in the territory of India but does not include the premises, enclosures and structures constituting
 - (i) physical boundaries of principal market yards, sub-market yards and market sub-yards managed and run by the

No.10-7] The J&K Govt. Gazette, 5th June., 2020/15th Jyai., 1942. 5
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market committees formed under each State APMC Act
in force in India ; and

(ii) private market yards, private market sub-yards, direct
marketing collection centres, and private farmer-consumer
market yards managed by persons holding licenses or any
warehouses, silos, cold storages or other structures notified
as markets or deemed markets under each State APMC
Act in force in India ;

(n) ötraderö means a person who buys farmersö produce by way
of inter-State trade or intra-State trade or a combination
thereof, either for self or on behalf of one or more persons
for the purpose of wholesale trade, retail, end-use, value
addition, processing, manufacturing, export, consumption or
for such other purpose.

CHAPTER II

Promotion and Facilitation of Trade and Commerce of Farmers' Produce

3. Freedom to conduct trade and commerce in a trade area.—

Subject to the provisions of this Ordinance, any farmer or trader or
electronic trading and transaction platform shall have the freedom to
carry on the inter-State or intra-State trade and commerce in farmersö
produce in a trade area.

4. Trade and commerce of scheduled farmers' produce.—

(1) Any trader may engage in the inter-State trade or intra-State trade of
scheduled farmersö produce with a farmer or another trader in a trade
area :

Provided that no trader, except the farmer producer organisations or
agricultural cooperative society, shall trade in any scheduled farmersö
produce unless the Income-tax Act, 1961 (43 of 1961) or such other
document as may be notified by the Central Government.

(2) The Central Government may, if it is of the opinion that it is
necessary and expedient in the public interest so to do, prescribe a system
for electronic registration for a trader, modalities of trade transaction and
mode of payment of the scheduled farmersö produce in a trade area.

(3) Every trader who transacts with farmers shall make payment

Provided that the Central Government may prescribe a different

5. *Electronic trading and transaction platform*—(1) Any person

Provided that the person establishing and operating an electronic

(2) If the Central Government is of the opinion that it is necessary

No.10-7] The J&K Govt. Gazette, 5th June., 2020/15th Jyai., 1942. 7
APMC Act or any other State law, shall be levied on any farmer or trader
or electronic trading and transaction platform for trade and commerce in
scheduled farmers' produce in a trade area.

7. Price information and market intelligence System.—(1) The Central Government may, through any Central Government Organisation, develop a price information and market intelligence system for farmers' produce and a framework for dissemination of information relating thereto.

(2) The Central Government may require any person owning and operating an electronic trading and transaction platform to provide information regarding such transactions as may be prescribed.

Explanation :—For the purposes of this section, the expression "Central Government Organisation" includes any subordinate or attached office, Government owned or promoted company or society.

CHAPTER III

Dispute Resolution

8. Dispute Resolution Mechanism for farmers.—(1) In case of any dispute arising out of a transaction between the farmer and a trader under section 4 of this Ordinance, the parties may seek a mutually acceptable solution through conciliation by filing an application to the Sub-Divisional Magistrate who shall refer such dispute to a Conciliation Board to be appointed by him for facilitating the binding settlement of the dispute.

(2) Every Board of Conciliation appointed by the Sub-Divisional Magistrate under sub-section (1), shall consist of a chairperson and such members not less than two and not more than four, as the Sub-Divisional Magistrate may deem fit.

(3) The chairperson shall be an officer serving under the supervision and control of the Sub-Divisional Magistrate and the other members shall be persons appointed in equal numbers to represent the parties to the dispute and any person appointed to represent a party shall be appointed on the recommendation of that party :

Provided that, if any party fails to make such recommendation within seven days, the Sub-Divisional Magistrate shall appoint such persons as he thinks fit to represent that party.

8 The J&K Govt. Gazette, 5th June., 2020/15th Jyai., 1942. [No.10-7
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(4) Where, in respect of any dispute, a settlement is arrived at during the course of conciliation proceedings, a memorandum of settlement shall be drawn accordingly and signed by the parties to such dispute which shall be binding upon the parties.

(5) If the parties to the transaction under sub-section (1) are unable to resolve the dispute within thirty days in the manner set out under this section, they may approach the Sub-divisional Magistrate concerned who shall be the Sub-divisional Authority for settlement of such dispute.

(6) The Sub-Divisional Authority on its own motion or on a petition or on the reference from any Government agency take cognizance of any contravention of the provisions of section 4 or rules made thereunder and take action under sub-section (7).

(7) The Sub-Divisional Authority shall decide the dispute or contravention under this section in a summary manner within thirty days from the date of its filing and after giving the parties an opportunity of being heard, he may

- (a) pass an order for the recovery of the amount under dispute ; or
- (b) impose a penalty as stipulated in sub-section (1) of section 11 ; or
- (c) Pass an order for restraining the trader in dispute from undertaking any trade and commerce of scheduled farmers' produce, directly or indirectly under this Ordinance for such period as it may deem fit.

8. Any party aggrieved by the order of the Sub-Divisional Authority may prefer an appeal before the Appellate Authority (Collector or Additional Collector nominated by the Collector) within thirty days of such order who shall dispose of the appeal within thirty days from the date of filing of such appeal.

(9) Every order of the Sub-Divisional Authority or Appellant Authority under this section shall have force of the decree of a civil court and shall be enforceable as such and decretal amount shall be recovered as arrears of land revenue.

- (a) pass an order for the recovery of the amount payable to the farmers and traders ;
- (b) impose a penalty as stipulated in sub-section (2) of section 11 ; or
- (c) suspend for such period as he deems fit or cancel the right to operate as an electronic trading and transaction platform :

(2) Every order made under sub-section (1) shall have force of the decree of a Civil Court and shall be enforceable as such and the decretal amount shall be recovered as arrears of land revenue.

10. *Appeal against cancellation of the Right to operate.*—(1) Any person aggrieved by an order under section 9 may, prefer an appeal within sixty days from the date of such order, to an officer not below the

10 The J&K Govt. Gazette, 5th June., 2020/15th Jyai., 1942. [No.10-7
rank of joint secretary to the Government of India to be nominated by the
Central Government for this purpose :

Provided that an appeal may be admitted even after the expiry of the said period of sixty days, but not beyond a total period of ninety days, if the appellant satisfies the appellate authority, that he had sufficient cause for not preferring the appeal within the said period.

(2) Every appeal made under this section shall be made in such form and manner, and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed.

(3) The procedure for disposing of an appeal shall be such as may be prescribed.

(4) An appeal filed under this section shall be heard and disposed of within a period of ninety days from the date of its filing :

Provided that before disposing of an appeal, the appellant shall be given an opportunity of being heard.

CHAPTER IV

Penalties

11. Penalty for contravention of Ordinance and rules.—

(1) Whoever contravenes the provisions of section 4 or the rules made thereunder shall be liable to pay a penalty which shall not be less than twenty five thousand rupees but which may extend to five lakh rupees, and where the contravention is a continuing one, further penalty not exceeding five thousand rupees for each day after the first day during which the contravention continues.

(2) If any person, who owns, controls or operates an electronic trading and transaction platform, contravenes the provisions of sections 5 and 7 or the rules made thereunder shall be liable to pay a penalty which shall not be less than fifty thousand rupees but which may extend to ten lakh rupees, and where the contravention is a continuing one, further penalty not exceeding ten thousand rupees for each day after the first day during which the contravention continues.

12. *Powers of Central Government to issue instructions, directions, orders or guidelines.*—The Central Government may for carrying out the provisions of this Ordinance, give such instructions, directions, orders or issue guidelines as it may deem necessary to any authority or officer subordinate to the Central Government, any State Government or any authority or officer subordinate to a State Government, an electronic trading and transaction platform or to any person or persons owning or operating an electronic trading and transaction platform, or a trader or class of traders.

13. *Protection of action taken in good faith.*—No suit prosecution or other legal proceedings shall lie against the Central Government or the State Government, or any officer of the Central Government or the State Government or any other person in respect of anything which is in good faith done or intended to be done under this Ordinance or of any rules or orders made thereunder.

14. *Ordinance to have overriding effect.* The provisions of this Ordinance shall have effect, notwithstanding anything inconsistent therewith contained in any State APMC Act or any other law for time being in force or in any instrument having effect by virtue of any law for the time being in force.

15. *Bar of jurisdiction of civil court.* No civil court shall have jurisdiction to entertain any suit or proceedings in respect of any matter, the cognizance of which can be taken and disposed of by any authority empowered by or under this Ordinance or the rules made thereunder.

16. *Ordinance not to apply to certain transactions.* Nothing contained in this Ordinance, shall be applicable to the Stock Exchanges and Clearing Corporations recognised under the Securities Contracts (Regulation) Act, 1956 (42 of 1956) and the transactions made thereunder.

17. *Power of Central Government to make rules.* (1) The Central Government may, by notifications, make rules for carrying out the provisions of this Ordinance.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

RAM NATH KOVIND,
President.

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(Sd.) DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

REGD. NO. JKô 33



JAMMU & KASHMIR OFFICIAL GAZETTE

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Reprints from the Government of India Gazette.

MINISTRY OF LAW AND JUSTICE

New Delhi, the 5th June, 2020/Jyaishta 15, 1942 (Saka).

(No. 11 of 2020)

An ordinance to provide for a national framework on farming agreements that protects and empowers farmers to engage with agribusiness firms, processors, wholesalers, exporters or large retailers for

[illegible]

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :ô

CHAPTER I

Prelimtnary

1. *Short title and commencement.*—(1) This Ordinance may be called the Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Ordinance, 2020.

(2) It shall come into force at once.

2. *Definitions.* In this Ordinance, unless the context otherwise requires,

(a) $\tilde{\text{farming produce}} \text{ includes } \hat{\text{ }}$

- (i) foodstuffs, including edible oilseeds and oils, all kinds of cereals like wheat, rice or other coarse grains, pulses, vegetables, fruits, nuts, spices, sugarcane and products of poultry, piggery, goatery, fishery and dairy, intended for human consumption in its natural or processed form ;
- (ii) cattle fodder, including oil cakes and other concentrates ;
- (iii) raw cotton, whether ginned or unginned ;
- (iv) cotton seeds and raw jute ;

(b) ðAPMC yardð means the physical premises covering Agriculture Produce Market Committee Yard, by whatever name called, established for regulating markets and trade in farming produce under any State Act ;

(c) "company" means a company as defined in clause (20) of section 2 of the Companies Act, 2013 (18 of 2013) ;

(e) ðfarm servicesö includes supply of seed, feed, fodder, agro-chemicals, machinery and technology, advice, non-chemical agro-inputs and such other inputs for farming ;

(g) "Farmer Producer Organisation" means an association or group of farmers, by whatever name called,

(ii) promoted under a scheme or programme sponsored by the Central Government or State Government :

Explanation : For the purposes of this clause, the term "farming agreement" may include,

(ii) ~~production agreement~~, where the Sponsor agrees to provide farm services, either fully or partially and to bear the risk of output, but

agrees to make payment to the farmer for the services rendered by such farmer ; and

(i) **õfirmõ** means a firm as defined in section 4 of the Indian Partnership Act, 1932 (9 of 1932) ;

(k) "notification" means a notification published by the Central Government or the State Government, as the case may be, in the Official Gazette and the expression "notified" shall be construed accordingly ;

(i) an individual ;

(iii) a company ;

(v) a co-operative society ;

(vii) any association or body of persons duly incorporated or recognised as a group under any ongoing programmes of the Central Government or the State Government ;

(n) "Registration Authority" means an authority notified as such by the State Government under section 12 ;

(o) "State" includes Union territory.

4. *Quality, grade and standards of farming produce.* (1) The parties entering into a farming agreement may identify and require as a condition for the performance of such agreement compliance with mutually acceptable quality, grade and standards of a farming produce.

that State that provides facilitative framework for registration of farming agreements.

(2) The constitution, composition, powers and functions of the Registration Authority and the procedure for registration shall be such as may be prescribed by the State Government.

CHAPTER III

Dispute Settlement

13. *Conciliation board for dispute settlement.* (1) Every farming agreement shall explicitly provide for a conciliation process and formation of a conciliation board consisting of representatives of parties to the agreement :

Provided that representation of parties in such conciliation board shall be fair and balanced.

(2) A dispute arising from any farming agreement shall be first referred to the conciliation board formed as per the provisions of the farming agreement and every endeavour shall be made by such board to bring about settlement of such dispute.

(3) Where, in respect of any dispute, a settlement is arrived during the course of conciliation proceeding, a memorandum of settlement shall be drawn accordingly and signed by the parties to such dispute and such settlement shall be binding on the parties.

14. *Mechanism for dispute resolution.* (1) Where, the farming agreement does not provide for conciliation process as required under sub-section (1) of section 13, or the parties to the farming agreement fail to settle their dispute under that section within a period of thirty days, then, any such party may approach the concerned Sub-Divisional Magistrate who shall be the Sub-divisional Authority for deciding the disputes under farming agreements.

(2) On receipt of a dispute under sub-section (1) the Sub-Divisional Authority may, if,

- (a) the farming agreement did not provide for conciliation process, constitute a conciliation board for bringing about settlement of such dispute ; or

12 The J&K Govt. Gazette, 5th June, 2020/15th Jyai., 1942. [No. 10-8
by any court or other authority in respect of any action taken or to be
taken in pursuance of any power conferred by or under this Ordinance
or any rules made thereunder.

20. *Ordinance to have an overriding effect.*ô The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any state law for the time being in force or in any instrument having effect by virtue of any such law other than this Ordinance :

Provided that a farming agreement or such contract entered into under any State law for the time being in force, or any rules made thereunder, before the date of coming into force of this Ordinance, shall continue to be valid for the period of such agreement or contract.

21. *Ordinance not to apply to stock exchanges and clearing corporations.*ô Nothing contained in this Ordinance, shall be applicable to the stock exchanges and clearing corporations recognised under the Securities Contracts (Regulation) Act, 1956 (42 of 1956) and the transactions undertaken therein.

22. *Power of Central Government to make rules.*ô (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :ô

- (a) other purposes for which the Sub-Divisional Authority or the Appellate Authority shall have the powers of civil court under sub-section (8) of section 14 ;
- (b) the manner and procedure for filing petition or application before the Sub-Divisional Authority, and an appeal before the Appellate Authority, under sub-section (9) of section 14 ;
- (c) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made, by rules, by the Central Government.

EXTRAORDINARY

REGD. NO. JK 33



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Wed., the 22nd April, 2020/2nd Vai., 1942. [No. 3-2

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART IV

Reprints from the Government of India Gazette.

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MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 22nd April, 2020/Vaisakha 2, 1942 (Saka).

THE EPIDEMIC DISEASES (AMENDMENT)
ORDINANCE, 2020
(No. 5 of 2020)

Promulgated by the President in the Seventy-first Year of the Republic
of India.

An Ordinance further to amend the Epidemic Diseases Act, 1897.

WHEREAS Parliament is not in session and the President is satisfied
that circumstances exist which render it necessary for him to take immediate
action.

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :ô

(2) It shall come into force at once.

3. *Insertion of new section 1A.* After section 1 of the principal Act, following section shall be inserted, namely :—

(a) "act of violence" includes any of the following acts committed by any person against a health care service personnel serving during an epidemic, which causes or may cause,

- (i) harassment impacting the living or working conditions of such healthcare service personnel and preventing him from discharging his duties ;
- (ii) harm, injury, hurt, intimidation or danger to the life of such healthcare service personnel, either within the premises of a clinical establishment or otherwise ;
- (iii) obstruction or hindrance to such healthcare service personnel in the discharge of his duties, either within the premises of a clinical establishment or otherwise ; or
- (iv) loss or damage to any property or documents in the custody of, or in relation to, such healthcare service personnel ;

(b) "healthcare service personnel" means a person who while carrying out his duties in relation to epidemic related responsibilities, may come in direct contact with affected

the Central Government may take such measures, as it deems fit and prescribe regulations for the inspection of any bus or train or goods vehicle or ship or vessel or aircraft leaving or arriving at any land port or port or aerodrome, as the case may be, in

[illegible]

the territories to which this Act extends and for such detention thereof, or of any person intending to travel therein, or arriving thereby, as may be necessary.

5. *Insertion of new section 2B.* After section 2A of the principal Act, the following section shall be inserted, namely :—

62B. *Prohibition of violence against health care service personnel and damage to property.* No person shall indulge in any act of violence against a healthcare service personnel or cause any damage or loss to any property during an epidemic.

6. *Amendment of section 3.* Section 3 of the principal Act shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely :

õ(2) Whoever,ô

- (i) commits or abets the commission of an act of violence against a healthcare service personnel ; or
- (ii) abets or causes damage or loss to any property, shall be punished with imprisonment for a term which shall not be less than three months, but which may extend to five years, and with fine, which shall not be less than fifty thousand rupees, but which may extend to two lakh rupees.

(3) Whoever, while committing an act of violence against a healthcare service personnel, causes grievous hurt as defined in section 320 (45 of 1860) of the Indian Penal Code to such person, shall be punished with imprisonment for a term which shall not be less than six months, but which may extend to seven years and with fine, which shall not be less than one lakh rupees, but which may extend to five lakh rupees.ö

7. *Insertion of new sections 3A, 3B 3C, 3D and 3E.* After section 3 of the principal Act, the following sections shall be inserted, namely :—

3A. *Cognizance, investigation and trial of offences.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),⁶

- (i) an offence punishable under sub-section (2) or sub-section (3) of section 3 shall be cognizable and non-bailable ;

- Provided further that the said period may be extended by such further period, for reasons to be recorded in writing, but not exceeding six months at a time.

3D. (1) *Presumption of culpable mental state.* In any prosecution for an offence under sub-section (3) of section 3 which requires a culpable mental state on the part of the accused, the Court shall presume the existence of such mental state, but it shall be a defence for the accused

6 The J&K Govt. Gazette, the 22nd April, 2020/2nd Vol., 1942. [No. 3-2
to prove the fact that he had no such mental state with respect to the act
charged as an offence in that prosecution.

(2) For the purposes of this section, a fact is said to be proved only
when the Court believes it to exist beyond reasonable doubt and not
merely when its existence is established by a preponderance of probability.

Explanation : In this section, "culpable mental state" includes intention,
motive, knowledge of a fact and the belief in, or reason
to believe, a fact.

3E. (1) *Compensation for acts of violence.* In addition to the
punishment provided for an offence under sub-section (2) or sub-section
(3) of section 3, the person so convicted shall also be liable to pay, by
way of compensation, such amount, as may be determined by the Court
for causing hurt or grievous hurt to any healthcare service personnel.

(2) Notwithstanding the commission of an offence under section 3B,
in case of damage to any property or loss caused, the compensation
payable shall be twice the amount of fair market value of the damaged
property or the loss caused, as may be determined by the Court.

(3) Upon failure to pay the compensation awarded under sub-
sections (1) and (2), such amount shall be recovered as an arrear of land
revenue under the Revenue Recovery Act, 1890 (1 of 1890).

RAM NATH KOVIND,

President.

(Sd.) DR. G. NARAYANA RAJU,

Secretary to the Govt. of India.

EXTRAORDINARY

REGD. NO. JK 33



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Fri., the 14th Aug., 2020/23rd Srav., 1942. [No. 20-2

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIAT HOME DEPARTMENT

Subject : Award of Jammu and Kashmir Police Medal for Meritorious
Services to Police Officers/Officials on the occasion of the
Independence Day, 2020.

Government Order No. 172 Home of 2020

Dated 14-8-2020

Sanction is hereby accorded to the award of Jammu and Kashmir
Police Medal for Meritorious Service to the following officers/officials of

2 The J&K Govt. Gazette, 14th Aug., 2020/23rd. Srav., 1942. [No. 20-2
the Police Department on the occasion of Independence Day , 2020 :ô

| S. No. | Name | Rank | PID No. |
|--------|-------------------------|-----------|-------------|
| 1. | T.Namgiyal (RR-95), IPS | IGP | IPS952723 |
| 2. | Haseeb-ur-Rehman | SSP | JKPS993414 |
| 3. | Swarn Singh Kotwal | SSP | JKPS 997348 |
| 4. | Showkat Ahmad Dar | SSP | JKPS993845 |
| 5. | Surinder Kumar Sharma | Dy.SP | EXJ905871 |
| 6. | Ashiq Hussain Malik | Inspector | EXK952539 |

By order of the Government of Jammu and Kashmir.

(Sd.) SHALEEN KABRA, IAS,

Principal Secretary to the Government,
Home Department.

REGD. NO. JKô 33

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[illegible]

Laws, Regulations and Rules passed thereunder.

THE DENTISTS (AMENDMENT) ACT, 2019

(Act No. 13 of 2019)

[17th July, 2019.]

An Act further to amend the Dentists Act, 1948.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ô

1. *Short title and commencement.* (1) This Act may be called the Dentists (Amendment) Act, 2019.

REGD. NO. JKô 33

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Laws, Regulations and Rules passed thereunder.

THE INDIAN MEDICAL COUNCIL (AMENDMENT) ACT, 2019

[16th July, 2019.]

An Act further to amend the Indian Medical Council Act, 1956.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ô

1. *Short title and commencement.* (1) This Act may be called the Indian Medical Council (Amendment) Act, 2019.



Vol. 132] Jammu, Tue., the 23rd July, 1919/1st Srav., 1941. [No. 16-2

Separate paging is given to this part in order that it may be filed as a
separate compilation.

Laws, Regulations and Rules passed thereunder.

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THE CENTRAL UNIVERSITIES (AMENDMENT) ACT, 2019

(Act No. 15 of 2019)

[23rd July, 2019.]

An Act further to amend the Central Universities Act, 2009.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ô

1. *Short title and commencement.* This Act may be called the Central Universities (Amendment) Act, 2019.

| Serial No. | Name of the State | Name of the University | Territorial jurisdiction |
|------------|-------------------|--------------------------------------|---------------------------------------|
| (1) | (2) | (3) | (4) |
| 1. | Andhra Pradesh | Central University of Andhra Pradesh | Whole of the State of Andhra Pradesh. |

No. 16-2] The J&K Govt. Gazette, 23rd July, 1919/1st Srav., 1941. 3
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| (1) | (2) | (3) | (4) |
|-----|-------------------|---|---|
| 2. | Andhra Pradesh | Central Tribal University of Andhra Pradesh | Whole of the State of Andhra Pradesh. |
| 3. | Bihar Central | University of South Bihar | Territory in the south of he River Ganges in theState of Bihar |
| 4. | Bihar | Mahatma Gandhi Central University | Territory in the north of the River Ganges in the State of Bihar. |
| 5. | Gujarat | Central University of Gujarat | Whole of the State of Gujarat. |
| 6. | Haryana | Central University of Haryana | Whole of the State of Haryana. |
| 7. | Himachal Pradesh | Central University of Himachal Pradesh | Whole of the State of Himachal Pradesh. |
| 8. | Jammu and Kashmir | Central University of Kashmir | Kashmir Division of the State of Jammu and Kashmir. |
| 9. | Jammu and Kashmir | Central University of Jammu | Jammu Division of the State of Jammu and Kashmir. |
| 10. | Jharkhand | Central University of Jharkhand | Whole of the State of Jharkhand. |
| 11. | Karnataka | Central University of Karnataka | Whole of the State of Karnataka. |
| 12. | Kerala | Central University of Kerala | Whole of the State of Kerala. |
| 13. | Odisha | Central University of Odisha | Whole of the State of Odisha. |
| 14. | Punjab | Central University of Punjab | Whole of the State of Punjab. |

4 The J&K Govt. Gazette, 23rd July, 2019/1st Srav., 1941. [No. 16-2
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| | (1) | (2) | (3) | (4) |
|-----|------------|----------------------------------|-------------------------------------|-----|
| 15. | Rajasthan | Central University of Rajasthan | Whole of the State of Rajasthan. | |
| 16. | Tamil Nadu | Central University of Tamil Nadu | Whole of the State of Tamil Nadu.ö. | |

REGD. NO. JKô 33



Vol. 132] Jammu, Thu., the 5th Dec., 1919/14th Agra., 1941. [No. 36-2

Separate paging is given to this part in order that it may be filed as a
separate compilation.

Laws, Regulations and Rules passed thereunder.

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THE TRANSGENDER PERSONS (PROTECTION OF RIGHTS)
ACT, 2019

(No. 40 of 2019)

[5th December, 2019.]

An Act to provide for protection of rights of transgender persons and their welfare and for matters connected therewith and incidental thereto.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ô

CHAPTER I

Preliminary

1. *Short title, extent and commencement.*—(1) This Act may be called the Transgender Persons (Protection of Rights) Act, 2019.

(e) "institution" means an institution, whether public or private, for the reception, care, protection, education, training or any other service of transgender persons ;

- (c) the denial of, or termination from, employment or occupation ;
- (d) the denial or discontinuation of, or unfair treatment in, healthcare services ;
- (e) the denial or discontinuation of, or unfair treatment with regard to, access to, or provision or enjoyment or use of any goods, accommodation, service, facility, benefit, privilege or opportunity dedicated to the use of the general public or customarily available to the public ;
- (f) the denial or discontinuation of, or unfair treatment with regard to the right of movement ;
- (g) the denial or discontinuation of, or unfair treatment with regard to the right to reside, purchase, rent, or otherwise occupy any property ;
- (h) the denial or discontinuation of, or unfair treatment in, the opportunity to stand for or hold public or private office ; and
- (i) the denial of access to, removal from, or unfair treatment in, Government or private establishment in whose care or custody a transgender person may be.

CHAPTER III

Recognition of Identity of Transgender Persons

4. *Recognition of identity of transgender person.*—(1) A transgender person shall have a right to be recognised as such, in accordance with the provisions of this Act.

(2) A person recognised as transgender under sub-section (1) shall have a right to self-perceived gender identity.

5. *Application for certificate of identity.*—A transgender person may make an application to the District Magistrate for issuing a certificate of identity as a transgender person, in such form and manner, and accompanied with such documents, as may be prescribed :

Provided that in the case of a minor child, such application shall be made by a parent or guardian of such child.

(3) A certificate issued to a person under sub-section (1) shall confer rights and be a proof of recognition of his identity as a transgender person.

(2) The District Magistrate shall, on receipt of an application along with the certificate issued by the Medical Superintendent or Chief Medical Officer, and on being satisfied with the correctness of such certificate, issue a certificate indicating change in gender in such form and manner and within such time, as may be prescribed.

Provided that such change in gender and the issue of revised certificate under sub-section (2) shall not affect the rights and entitlements of such person under this Act.

Welfare measures by Government

8. *Obligation of appropriate Government.*—(1) The appropriate Government shall take steps to secure full and effective participation of transgender persons and their inclusion in society.

(2) The appropriate Government shall take such welfare measures as may be prescribed to protect the rights and interests of transgender persons, and facilitate their access to welfare schemes framed by that Government.

(3) The appropriate Government shall formulate welfare schemes and programmes which are transgender sensitive, non-stigmatising and non-discriminatory.

(4) The appropriate Government shall take steps for the rescue, protection and rehabilitation of transgender persons to address the needs of such persons.

(5) The appropriate Government shall take appropriate measures to promote and protect the right of transgender persons to participate in cultural and recreational activities.

CHAPTER V

Obligation of Establishments and other Persons

9. *Nondiscrimination in employment.*—No establishment shall discriminate against any transgender person in any matter relating to employment including, but not limited to, recruitment, promotion and other related issues.

10. *Obligations of establishments.*—Every establishment shall ensure compliance with the provisions of this Act and provide such facilities to transgender persons as may be prescribed.

11. *Grievance redressal mechanism*.—Every establishment shall designate a person to be a complaint officer to deal with the complaints relating to violation of the provisions of this Act.

12. *Right of residence.*—(1) No child shall be separated from parents or immediate family on the ground of being a transgender, except on an order of a competent court, in the interest of such child.

(2) Every transgender person shall have

- (a) a right to reside in the household where parent or immediate family members reside ;
- (b) a right not to be excluded from such household or any part thereof ; and

CHAPTER VI

13. *Obligation of educational institutions to provide inclusive education to transgender persons.*—Every educational institution funded or recognised by the appropriate Government shall provide inclusive education and opportunities for sports, recreation and leisure activities to transgender persons without discrimination on an equal basis with others.

15. *Healthcare facilities.* The appropriate Government shall take the following measures in relation to transgender persons, namely :

- (a) to set up separate human immunodeficiency virus Sero-surveillance Centres to conduct sero-surveillance for such persons in accordance with the guidelines issued by the National AIDS Control Organisation in this behalf ;
- (b) to provide for medical care facility including sex reassignment surgery and hormonal therapy ;
- (c) before and after sex reassignment surgery and hormonal therapy counselling ;
- (d) bring out a Health Manual related to sex reassignment surgery in accordance with the World Profession Association for Transgender Health guidelines ;
- (e) review of medical curriculum and research for doctors to address their specific health issues ;

- (a) the Union Minister in-charge of the Ministry of Social Justice and Empowerment, Chairperson, ex officio ;
- (b) the Minister of State, in-charge of the Ministry of Social Justice and Empowerment in the Government, Vice-Chairperson, ex officio ;
- (c) Secretary to the Government of India in-charge of the Ministry of Social Justice and Empowerment, Member, ex officio ;
- (d) one representative each from the Ministries of Health and Family Welfare, Home Affairs, Housing and Urban Affairs, Minority Affairs, Human Resources Development, Rural Development, Labour and Employment and Departments of Legal Affairs, Pensions and Pensioners Welfare and National Institute for Transforming India Aayog, not below the rank of Joint Secretaries to the Government of India, Members, ex officio ;
- (e) one representative each from the National Human Rights Commission and National Commission for Women, not below the rank of Joint Secretaries to the Government of India, Members, ex officio ;

- (f) representatives of the State Governments and Union territories by rotation, one each from the North, South, East, West and North-East regions, to be nominated by the Central Government, Members, ex officio ;
- (g) five representatives of transgender community, by rotation, from the State Governments and Union territories, one each from the North, South, East, West and North-East regions, to be nominated by the Central Government, Members ;
- (h) five experts, to represent non-governmental organisations or associations, working for the welfare of transgender persons, to be nominated by the Central Government, Members ; and
- (i) Joint Secretary to the Government of India in the Ministry of Social Justice and Empowerment dealing with the welfare of the transgender persons, Member Secretary, ex officio.

(3) A Member of National Council, other than ex officio member, shall hold office for a term of three years from the date of his nomination.

17. *Functions of Council.*—The National Council shall perform the following functions, namely:ô

- (a) to advise the Central Government on the formulation of policies, programmes, legislation and projects with respect to transgender persons ;
- (b) to monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of transgender persons ;
- (c) to review and coordinate the activities of all the departments of Government and other Governmental and non-Governmental Organisations which are dealing with matters relating to transgender persons ;
- (d) to redress the grievances of transgender persons ; and
- (e) to perform such other functions as may be prescribed by the Central Government.

CHAPTER VIII

Offences and Penalties

18. *Offences and penalties.*—Whoever,ô
- (a) compels or entices a transgender person to indulge in the act of forced or bonded labour other than any compulsory service for public purposes imposed by Government ;
 - (b) denies a transgender person the right of passage to a public place or obstructs such person from using or having access to a public place to which other members have access to or a right to use ;
 - (c) forces or causes a transgender person to leave household, village or other place of residence ; and
 - (d) harms or injures or endangers the life, safety, health or well-being, whether mental or physical, of a transgender person or tends to do acts including causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine.

CHAPTER IX

Miscellaneous

19. *Grants by Central Government.*—The Central Government shall, from time to time, after due appropriation made by Parliament by law in this behalf, credit such sums to the National Council as may be necessary for carrying out the purposes of this Act.

20. *Act not in derogation of any other law.*—The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.

21. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the appropriate Government or

any local authority or any officer of the Government in respect of anything which is in good faith done or intended to be done in pursuance of the provisions of this Act and any rules made thereunder.

22. *Power of appropriate Government to make rules.*—(1) The appropriate Government may, subject to the condition of previous publication, by notification, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:ô

- (a) the form and manner in which an application shall be made under section 5 ;
- (b) the procedure, form and manner and the period within which a certificate of identity is issued under sub-section (1) of section 6 ;
- (c) the form and manner in which an application shall be made under sub-section (1) of section 7 ;
- (d) the form, period and manner for issuing revised certificate under sub-section (2) of section 7 ;
- (e) welfare measures to be provided under sub-section (2) of section 8 ;
- (f) facilities to be provided under section 10 ;
- (g) other functions of the National Council under clause (e) of section 17 ; and
- (h) any other matter which is required to be or may be prescribed.

(3) Every rule made by the Central Government under sub-section (1), shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session

23. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty :

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

2 The J&K Govt. Gazette, 16th Jan., 2019/26th Pausa, 1940. [No. 41-3
crore and eighty-six lakh rupees towards defraying the several charges
which will come in course of payment during the financial year 2018-
19 in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied
from and out of the Consolidated Fund of India by this Act shall be
appropriated for the services and purposes expressed in the Schedule
in relation to the said year.

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THE SCHEDULE

(See sections 2 and 3)

| No. of Vote | Service and purposes | Sums not exceeding | | |
|----------------|---|------------------------|--|---------------|
| | | Voted by Parliament | Charged on the Consolidated Fund | Total |
| 1 | 2 | 3 | 4 | 5 |
| | | Rs. | Rs. | Rs. |
| 1 | Department of Agriculture, Cooperation and Farmers Welfare | Revenue 3,00,000 | ... | 3,00,000 |
| | | Capital 1,00,000 | ... | 1,00,000 |
| 2 | Department of Agricultural Research and Education | Revenue 152,73,00,000 | ... | 152,73,00,000 |
| 3 | Department of Animal Husbandry, Dairying and Fisheries | Capital 1,00,000 | ... | 1,00,000 |
| 4 | Atomic Energy | Revenue 2,00,000 | ... | 2,00,000 |
| | | Capital 2,00,000 | 9,50,00,000 | 9,52,00,000 |
| 5 | Ministry of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) | Revenue 2,00,000 | ... | 2,00,000 |
| 8 | Department of Pharmaceuticals | Capital 7,00,00,000 | ... | 7,00,00,000 |

| 1 | 2 | 3 | 4 | 5 |
|--|---------|----------------|-------------|----------------|
| | | Rs. | Rs. | Rs. |
| 9 Ministry of Civil Aviation | Revenue | 798,34,00,000 | ... | 798,34,00,000 |
| | Capital | 2298,80,00,000 | ... | 2298,80,00,000 |
| 11 Department of Commerce | Revenue | 143,60,00,000 | ... | 143,60,00,000 |
| 13 Department of Posts | Revenue | ... | 2,29,00,000 | 2,29,00,000 |
| | Capital | 20,00,00,000 | ... | 20,00,00,000 |
| 14 Department of Telecommunications | Capital | 751,00,00,000 | ... | 751,00,00,000 |
| 15 Department of Consumer Affairs | Revenue | 1,00,000 | ... | 1,00,000 |
| 16 Department of Food and Public Distribution | Revenue | 920,10,00,000 | ... | 920,10,00,000 |
| | Capital | 3,00,000 | ... | 3,00,000 |
| 17 Ministry of Corporate Affairs | Revenue | 30,82,00,000 | ... | 30,82,00,000 |
| | Capital | 19,00,00,000 | ... | 19,00,00,000 |
| 18 Ministry of Culture | Revenue | 2,00,000 | ... | 2,00,000 |
| | Capital | 26,33,00,000 | ... | 26,33,00,000 |
| 20 Defence Services (Revenue) | Revenue | 1400,00,00,000 | ... | 1400,00,00,000 |
| 23 Ministry of Development of North Eastern Region | Revenue | 100,36,00,000 | ... | 100,36,00,000 |
| 24 Ministry of Drinking Water and Sanitation | Revenue | 2,00,000 | ... | 2,00,000 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|--|---------|----------------|-------------|----------------|---|
| | | Rs. | Rs. | Rs. | |
| 35 Indirect Taxes | Revenue | 1,00,000 | ... | 1,00,000 | |
| | Capital | 1,00,000 | ... | 1,00,000 | |
| 36 Indian Audit and Accounts Department | Revenue | 175,13,00,000 | 6,76,00,000 | 181,89,00,000 | |
| 41 Ministry of Food Processing Industries | Revenue | 1,00,000 | ... | 1,00,000 | |
| 42 Department of Health and Family Welfare | Revenue | 1031,07,00,000 | ... | 1031,07,00,000 | |
| | Capital | 40,01,00,000 | ... | 40,01,00,000 | |
| 44 Department of Heavy Industry | Revenue | 1,00,000 | ... | 1,00,000 | |
| | Capital | 150,89,00,000 | ... | 150,89,00,000 | |
| 46 Ministry of Home Affairs | Revenue | 130,94,00,000 | 6,33,00,000 | 137,27,00,000 | |
| | Capital | 1,00,000 | ... | 1,00,000 | |
| 47 Cabinet | Revenue | 1,00,000 | ... | 1,00,000 | |
| 48 Police | Revenue | 1535,35,00,000 | ... | 1535,35,00,000 | |
| | Capital | 1,00,000 | ... | 1,00,000 | |
| 52 Daman and Diu | Capital | 12,03,00,000 | ... | 12,03,00,000 | |
| 53 Lakshadweep | Revenue | 1,00,000 | ... | 1,00,000 | |
| | Capital | 1,00,000 | ... | 1,00,000 | |

The J&K Govt. Gazette, 16th Jan., 2019/26th Pansa, 1940. [No. 41-3

| | | | | | |
|----|---|---------|----------------|-------------|----------------|
| 54 | Transfers to Delhi | Capital | 77,41,00,000 | ... | 77,41,00,000 |
| 56 | Ministry of Housing and Urban Affairs | Revenue | 1,60,00,000 | 4,00,00,000 | 5,60,00,000 |
| | | Capital | 1,00,000 | ... | 1,00,000 |
| 57 | Department of School Education and Literacy | Revenue | 113,78,00,000 | ... | 113,78,00,000 |
| 58 | Department of Higher Education | Revenue | 4,00,000 | ... | 4,00,000 |
| 59 | Ministry of Information and Broadcasting | Revenue | 1,00,000 | ... | 1,00,000 |
| 60 | Ministry of Labour and Employment | Revenue | 1038,29,00,000 | .. | 1038,29,00,000 |
| 61 | Law and Justice | Revenue | 3,00,000 | ... | 3,00,000 |
| | | Capital | 535,00,00,000 | ... | 535,00,00,000 |
| 64 | Ministry of Micro, Small and Medium Enterprises | Revenue | 2,00,000 | ... | 2,00,000 |
| | | Capital | 8,49,00,000 | ... | 8,49,00,000 |
| 65 | Ministry of Mines | Revenue | 95,00,00,000 | ... | 95,00,00,000 |
| 66 | Ministry of Minority Affairs | Revenue | 2,00,000 | ... | 2,00,000 |
| | | Capital | 8,18,00,000 | ... | 8,18,00,000 |
| 67 | Ministry of New and Renewable Energy | Revenue | 1,00,000 | ... | 1,00,000 |
| 68 | Ministry of Panchayati Raj | Revenue | 2,00,000 | ... | 2,00,000 |
| 70 | Ministry of Personnel, Public Grievances and Pensions | Revenue | 12,00,000 | ... | 12,00,000 |
| | | Capital | 25,00,00,000 | ... | 25,00,00,000 |

| 1 | 2 | 3 | 4 | 5 |
|---|---------|----------------|-------------|----------------|
| | | Rs. | Rs. | Rs. |
| <i>CHARGED—Central Vigilance Commission</i> | Revenue | ... | 1,39,00,000 | 1,39,00,000 |
| 72 Ministry of Petroleum and Natural Gas | Revenue | 2,00,000 | ... | 2,00,000 |
| | Capital | 250,18,00,000 | ... | 250,18,00,000 |
| 73 Ministry of Planning | Revenue | 125,96,00,000 | ... | 125,96,00,000 |
| 74 Ministry of Power | Revenue | 713,73,00,000 | ... | 713,73,00,000 |
| | Capital | 1,00,000 | ... | 1,00,000 |
| 76 Lok Sabha | Revenue | ... | 12,00,000 | 12,00,000 |
| 78 Secretariat of the Vice-President | Revenue | 90,00,000 | ... | 90,00,000 |
| 80 Ministry of Railways | Revenue | 1,00,000 | ... | 1,00,000 |
| | Capital | 1,00,000 | ... | 1,00,000 |
| 81 Ministry of Road Transport and Highways | Revenue | 1,00,000 | ... | 1,00,000 |
| | Capital | 8565,39,00,000 | ... | 8565,39,00,000 |
| 82 Department of Rural Development | Revenue | 6084,13,00,000 | ... | 6084,13,00,000 |
| | Capital | 1,00,000 | ... | 1,00,000 |

| | | | | | |
|----|--|---------|----------------|-----|----------------|
| 84 | Department of Science and Technology | Revenue | 1,00,000 | ... | 1,00,000 |
| | | Capital | 1,00,000 | ... | 1,00,000 |
| 87 | Ministry of Shipping | Revenue | 125,01,00,000 | ... | 125,01,00,000 |
| 88 | Ministry of Skill Development and Entrepreneurship | Revenue | 1,00,000 | ... | 1,00,000 |
| 89 | Department of Social Justice and Empowerment | Revenue | 2263,27,00,000 | ... | 2263,27,00,000 |
| 90 | Department of Empowerment of Persons with Disabilities | Revenue | 1,00,000 | ... | 1,00,000 |
| 91 | Department of Space | Revenue | 1,00,000 | ... | 1,00,000 |
| | | Capital | 1,00,000 | ... | 1,00,000 |
| 92 | Ministry of Statistics and Programme Implementation | Revenue | 69,62,00,000 | ... | 69,62,00,000 |
| 93 | Ministry of Steel | Revenue | 105,75,00,000 | ... | 105,75,00,000 |
| 94 | Ministry of Textiles | Revenue | 3,00,000 | ... | 3,00,000 |
| 95 | Ministry of Tourism | Revenue | 2,00,000 | ... | 2,00,000 |
| 96 | Ministry of Tribal Affairs | Revenue | 1,70,00,000 | ... | 1,70,00,000 |
| 97 | Ministry of Water Resources, River Development and Ganga Rejuvenation | Revenue | 1,00,000 | ... | 1,00,000 |

| 1 | 2 | 3 | 4 | 5 |
|--|---------|-----------------|--------------|-----------------|
| | | Rs. | Rs. | Rs. |
| 98 Ministry of Women and Child Development | Revenue | 58,65,00,000 | ... | 58,65,00,000 |
| | Capital | 18,12,00,000 | ... | 18,12,00,000 |
| 99 Ministry of Youth Affairs and Sports | Revenue | 21,00,000 | ... | 21,00,000 |
| | Total : | 85917,88,00,000 | 30,98,00,000 | 85948,86,00,000 |



Vol. 132] Jammu, Wed., the 31st July, 2019/9th Srav., 1941. [No. 17-4

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[31st July, 2019.]

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ô

PRELIMINARY

1. *Short title, extent and commencement.* (1) This Act may be called the Muslim Women (Protection of Rights on Marriage) Act, 2019.

5. *Subsistence allowance*.—Without prejudice to the generality of the provisions contained in any other law for the time being in force, a married Muslim woman upon whom talaq is pronounced shall be entitled to receive from her husband such amount of subsistence allowance, for her and dependent children, as may be determined by the Magistrate.

6. *Custody of minor children*.—Notwithstanding anything contained in any other law for the time being in force, a married Muslim woman shall be entitled to custody of her minor children in the event of pronouncement of talaq by her husband, in such manner as may be determined by the Magistrate.

7. *Offence to be cognizable, compoundable, etc.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974)ô

- (a) an offence punishable under this Act shall be cognizable, if information relating to the commission of the offence is given to an officer in charge of a police station by the married Muslim woman upon whom talaq is pronounced or any person related to her by blood or marriage ;
- (b) an offence punishable under this Act shall be compoundable, at the instance of the married Muslim woman upon whom talaq is pronounced with the permission of the Magistrate, on such terms and conditions as he may determine ;
- (c) no person accused of an offence punishable under this Act shall be released on bail unless the Magistrate, on an application filed by the accused and after hearing the married Muslim woman upon whom talaq is pronounced, is satisfied that there are reasonable grounds for granting bail to such person.

8. *Repeal and savings.*—(1) The Muslim Women (Protection of Rights on Marriage) Second Ordinance, 2019 (Ordinance 4 of 2019) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Muslim Women (Protection of Rights on Marriage) Second Ordinance, 2019 (Ordinance 4 of 2019), shall be deemed to have been done or taken under the provisions of this Act.

EXTRAORDINARY

REGD. NO. JK 33



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Fri., the 11th Dec., 2020/20th Agra., 1942. [No. 37-4

Separate paging is given to this part in order that it may be filed as a

separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

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OFFICE OF THE MEDICAL SUPERINTENDENT, SMGS
HOSPITAL, JAMMU.

The Principal,
Govt. Medical College,
Jammu.

No. SMGSH/2020/E-4/9694-95

Dated 11-12-2020.

Subject :ô Destruction of Patients ôInactive Medical Recordsö ôôôôô
Gazette Notification of Institution policy.

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Madam,

In reference to the subject cited above, it is to bring to your kind notice that the Medical Records Officer, SMGS Hospital, Jammu vide

her office communication No. MRD 1296 dated 09-12-2020 has requested to reconstitute a committee for destroying the "Inactive Medical Records" in light of the decision taken as per the minutes of the Meeting held on 6th August, 2011 under endtt. No. MCJ/PS/11/meeting/1418 dated 17-08-2011 (copy of the minutes of the meeting is enclosed herewith). Destruction/Retention time period of General case sheets, Death case sheets, MLC sheets and Outpatient Department records was upheld and reproduced as under :<\/p><\/div>

Apt to add that the undersigned along with the Medical Records Officer of this hospital has attended the personal appearance of 2nd Appeal filed before the J&K State Information Commission by Sh. Sanjeev Kumar S/o Lt. Brij Lal R/o R. S Pura on 14-11-2018, wherein, State Information Commissioner, Jammu and Kashmir has advised that to avoid any litigation in future and in view of larger public interest, it is mandatory that before the exercise of destroying of Inactive Medical Records is initiated, it is better firstly the Institutional policy, if any already framed by the administration should get published and notified in the Government Gazette in the interest of public and after then, the inactive Medical Records may also get published and notified in the Government Gazette.

In view of the above, you are requested to take up the matter with the General Manager Ranbir Press for Gazette Notification of the same, so that the process of destroying of Inactive Medical records can be carried out smoothly.

Yours Faithfully,

Medical Superintendent,
SMGS Hospital, Jammu.

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OFFICE OF THE PRINNCIPAL, GOVT. MEDICAL COLLEGE
HOSPITAL, JAMMU.

MINUTES OF MEETING

In supersession to the previous minutes of meeting vide letter No. GMC/PS/minutes/1299 dated 4th of July, 2011, a meeting was held

No. 37-4] The J&K Govt. Gazette, 11th Dec., 2020/20th Agra., 1942. 3
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in the Office Chamber of Principal, Govt. Medical College Jammu on 6th of August, 2011 at 9:30 A. M. The meeting was chaired by worthy Principal Medical College Jammu, Dr. Rajinder Singh in connection with framing of the policy in the Medical Record department regarding the collection of death, MLC, General case sheets, OPD records and destruction of In-patient case sheets, retrieval of Medical Records in tile light of Court directions, Registration of Birth and Death Act, 1969 and Right To Information Act (RTI).

Presents :ô The following Doctors/Officers were present :ô

1. Dr. Bharat Bhushan Gupta
HoD Medicine
2. Dr. Rakesh Saraf
HoD Surgery
3. Dr. Sudesh Sharma
HoD Orthopedic
4. Dr. R. K. Mengi
HoD Ophthalmology
5. Dr. Mohan Lal
HoD Cardiology
6. Dr. B. B. Kapoor
HoD Anaesthesia
7. Dr. Noor Ali
Acting HoD CTVS
8. Dr. Romesh Gupta
Medical Superintendent (GMCH)
9. Dr. Manoj Chalotra
Dy. Medical Superintendent (GMCH)
10. Dr. Sanjeev Gupta, CMO
I/c Control Room (MCH)
11. Mrs. Promila Raina
Medical Record Officer,
MCH/SMGS, Hospital
12. Mrs. Phoola Koul
Matron, GMCH

Following decisions were taken :

1. It was unanimously decided that the Death and MLC case sheets from wards and emergency completed in all respect along with Form No. 4, shall be submitted by the Registrar of the concerned unit designated by the respective Head of Departments under an intimation to the respective HoU/HoD. The completed death/MLC files to be submitted in the Medical Record Department shall all have final diagnosis along with date and time of death, legibly written on tile face Sheets of the file. The Medical Record Officer will nominate a person who will keep liaison with the Registrar and collect the files under proper receipt. Duly completed files should reach in Medical Record Department within one week.
2. General case sheets completed in all respects will be deposited by the discharging Doctor of the concerned unit with the Sister I/c of the respective wards during the working hours preferably in exceptional cases like LAMA, Absconder, discharge on request, the doctors on duty shall keep the file along with him and handover the same to the staff Nurse in-charge of the ward on next day. Census clerk of Medical Record Department will collect the case sheets on daily basis from the wards under proper receipt from the concerned I/c Sister of the ward.
3. The files of death cases/MLC cases being discharged from the ICU shall be submitted to the parent admitting Unit by the doctors of ICU declaring the deaths/discharging the patient.
4. Destruction/Retention time period of General case sheets, Death case sheets, MLC case sheets and Out Patient Department records was upheld as per the past decision of minutes of meeting vide No. 11884-92 dated 21-10-2008 and reproduced as under :

| General Case Sheets 10 Years | Death\MLC Case Sheets 15 Years | OPD Records 5 Years |
|---------------------------------|-----------------------------------|------------------------|
|---------------------------------|-----------------------------------|------------------------|

5. It was also decided that the retention period for Inactive Medical Record will be maintained as per the hospital policy framed and will be destroyed every year for the improvisation. It was further

No. 37-4] The J&K Govt. Gazette, 11th Dec., 2020/20th Agra., 1942. 5
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decided to destroy them on yearly basis by the committee already
framed for the purpose.

Principal,
Govt. Medical College
Jammu.

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DEPARTMENT OF MEDICAL RECORDS, SMGS HOSPITAL,
JAMMU.

The Medical Superintendent,
SMGS Hospital,
Jammu.

No. SMGSH/2020/E-4/

Dated :

Subject :ô Destruction of Patients ôInactive Medical Recordsö

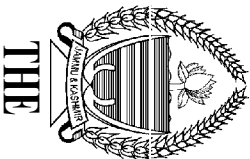
Sir,

In continuation to our previous communication No. MRD/1246 dated 02-12-2020 on the subject cited above, whereunder the undersigned has requested to kindly reconstitute a committee for destroying the Inactive Medical Records from 01-04-2009 onwards up to 31-03-2010 for General Indoor records, Birth/Death/MLC Record w. e. f. 01-4-2004 onwards up to 31-03-2005 and OPD Records w. e. f. 01-04-2014 onwards up to 31-03-2015.

But it has come to the notice of the undersigned that a minutes of the meeting has already been issued by the then Principal, GMC, Jammu vide endtt. No. MCJ/PS/11/meeting/1418 dated 17-08-2011, whereunder guidelines were issued for disposal/destruction of Inactive Medical Records and superseding all the previous orders/guidelines passed before this.

In light of latest guidelines issued by the Principal, GMC, Jammu in the meeting 2011 held on 6th August 2011 and minutes of the meeting issued thereof under endtt. No. MCJ/PS/11/meeting/1418 dated 17-08-2011. You are requested to again convene a meeting of already constituted committee in light of above quoted minutes for destruction of Inactive Medical Records strictly as per the guidelines issued by the then Principal, GMC, Jammu.

Medical Records Officer,
SMGS Hospital, Jammu.



JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 131] Jammu, Fri., the 15th Feb., 2019/26th Magha, 1940. [No. 46-2

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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THE APPROPRIATION (VOTE ON ACCOUNT) ACT, 2019

(Act No. 5 of 2019)

[15th February, 2019.]

An Act to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 2019-20.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :

1. *Short title.*—This Act may be called the Appropriation (Vote on Account) Act, 2019.

2. *Withdrawal of Rs. 3417295.38, 00,000 from and out of the Consolidated Fund of India for the financial year 2019-20.* —From

2 The J&K Govt. Gazette, 15th Feb., 2019/26th Magha, 1940. [No. 46-2
towards defraying the several charges which will come in course of
payment during the financial year 2019-20.

3. *Appropriation.*—The sums authorised to be withdrawn from
and out of the Consolidated Fund by this Act shall be appropriated for
the services and purposes expressed in the Schedule in relation to the
said year.

4. *Construction of references to Ministries or Departments in
the Schedule.*—Reference to the Ministries or Departments in the
Schedule are to such Ministries or Departments as existing immediately
before the 17th September, 2018 and shall, on or after that date, be
construed as references to the appropriate Ministries or Departments
as constituted from time to time.

THE SCHEDULE

(See sections 2, 3 and 4)

| Number of Vote | Service and purpose | Sums not exceeding | | |
|-------------------|--|----------------------------|--|-----------------|
| | | Voted by the Parliament | Charged on the Consolidated Fund | Total |
| 1 | 2 | 3 | 4 | 5 |
| | | Rs. | Rs. | Rs. |
| 1. | Department of Agriculture, Cooperation and Farmers Welfare | Revenue 43183,50,00,000 | ... | 43183,50,00,000 |
| | Capital | 11,57,00,000 | ... | 11,57,00,000 |
| 2. | Department of Agricultural Research and Education..... | Revenue 2692,92,00,000 | ... | 2692,92,00,000 |
| | Capital | ... | ... | ... |
| 3. | Department of Animal Husbandry, Dairying and Fisheries | Revenue 1155,46,00,000 | ... | 1155,46,00,000 |
| | Capital | 14,67,00,000 | ... | 14,67,00,000 |
| 4 | Atomic Energy | Revenue 5079,56,00,000 | 33,00,000 | 5079,89,00,000 |
| | Capital | 3320,68,00,000 | 7,78,00,000 | 3328,46,00,000 |
| 5 | Ministry of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy | Revenue 748,52,00,000 | ... | 748,52,00,000 |
| | Capital | 7,00,000 | ... | 7,00,000 |

No. 46-2] The J&K Govt. Gazette, 15th Feb, 2019/26th Magha, 1940. 3

| 1 | 2 | 3 | 4 | 5 |
|---|---------|-----------------|-----------|-----------------|
| | | Rs. | Rs. | Rs. |
| 6 Department of Chemicals and Petrochemicals | Revenue | 132,33,00,000 | ... | 132,33,00,000 |
| | Capital | ... | ... | ... |
| 7 Department of Fertilisers | Revenue | 35443,40,00,000 | ... | 35443,40,00,000 |
| | Capital | 2,00,000 | ... | 2,00,000 |
| 8 Department of Pharmaceuticals | Revenue | 78,48,00,000 | ... | 78,48,00,000 |
| | Capital | 2,00,000 | ... | 2,00,000 |
| 9 Ministry of Civil Aviation | Revenue | 1585,88,00,000 | ... | 1585,88,00,000 |
| | Capital | 8,34,00,000 | ... | 8,34,00,000 |
| 10 Ministry of Coal | Revenue | 274,02,00,000 | ... | 274,02,00,000 |
| | Capital | ... | ... | ... |
| 11 Department of Commerce | Revenue | 2409,88,00,000 | ... | 2409,88,00,000 |
| | Capital | 391,67,00,000 | ... | 391,67,00,000 |
| 12 Department of Industrial Policy and Promotion | Revenue | 2962,80,00,000 | ... | 2962,80,00,000 |
| | Capital | 557,64,00,000 | ... | 557,64,00,000 |
| 13 Department of Posts | Revenue | 9786,22,00,000 | 27,00,000 | 9786,49,00,000 |
| | Capital | 315,91,00,000 | ... | 315,91,00,000 |
| 14 Department of Telecommunications | Revenue | 10231,21,00,000 | ... | 10231,21,00,000 |
| | Capital | 3239,91,00,000 | ... | 3239,91,00,000 |

[illegible]

| | | | | |
|--|---------|------------------|--------------|------------------|
| 15 Department of Consumer Affairs | Revenue | 749,44,00,000 | ... | 749,44,00,000 |
| | Capital | 27,83,00,000 | ... | 27,83,00,000 |
| 16 Department of Food and Public Distribution | Revenue | 106682,64,00,000 | ... | 106682,64,00,000 |
| | Capital | 17108,71,00,000 | ... | 17108,71,00,000 |
| 17 Ministry of Corporate Affairs | Revenue | 175,88,00,000 | ... | 175,88,00,000 |
| | Capital | 17,00,00,000 | ... | 17,00,00,000 |
| 18 Ministry of Culture | Revenue | 998,52,00,000 | ... | 998,52,00,000 |
| | Capital | 56,01,00,000 | ... | 56,01,00,000 |
| 19 Ministry of Defence (Miscellaneous) | Revenue | 13830,86,00,000 | 25,00,000 | 13831,11,00,000 |
| | Capital | 2900,59,00,000 | 11,67,00,000 | 2912,26,00,000 |
| 20 Defence Services (Revenue) | Revenue | 82100,02,00,000 | 33,37,00,000 | 82133,39,00,000 |
| | Capital | ... | ... | ... |
| 21 Capital Outlay on Defence Services | Revenue | ... | ... | ... |
| | Capital | 59366,65,00,000 | 27,78,00,000 | 59394,43,00,000 |
| 22 Defence Pensions | Revenue | 37359,04,00,000 | 82,00,000 | 37359,86,00,000 |
| | Capital | ... | ... | ... |
| 23 Ministry of Development of North Eastern Region ... | Revenue | 792,19,00,000 | ... | 792,19,00,000 |
| | Capital | 244,70,00,000 | ... | 244,70,00,000 |
| 24 Ministry of Drinking Water and Sanitation | Revenue | 8655,57,00,000 | ... | 8655,57,00,000 |
| | Capital | ... | ... | ... |

| | | | | | |
|----|---|---------|-----------------|-------------------|-------------------|
| 34 | Direct Taxes | Revenue | 2345,48,00,000 | ... | 2345,48,00,000 |
| | | Capital | 100,67,00,000 | ... | 100,67,00,000 |
| 35 | Indirect Taxes | Revenue | 2497,72,00,000 | 17,00,000 | 2497,89,00,000 |
| | | Capital | 135,62,00,000 | ... | 135,62,00,000 |
| 36 | Indian Audit and Accounts Department | Revenue | 1835,54,00,000 | 65,51,00,000 | 1901,05,00,000 |
| | | Capital | 5,33,00,000 | ... | 5,33,00,000 |
| | CHARGED. Interest Payments | Revenue | ... | 225686,97,00,000 | 225686,97,00,000 |
| | | Capital | ... | ... | ... |
| | CHARGED. Repayment of Debt | Revenue | ... | ... | ... |
| | | Capital | ... | 1994395,70,00,000 | 1994395,70,00,000 |
| 39 | Pensions | Revenue | 19126,97,00,000 | 148,03,00,000 | 19275,00,00,000 |
| | | Capital | ... | ... | ... |
| 40 | Transfers to States | Revenue | 11937,78,00,000 | 55019,89,00,000 | 66957,67,00,000 |
| | | Capital | ... | 6607,76,00,000 | 6607,76,00,000 |
| 41 | Ministry of Food Processing Industries | Revenue | 398,87,00,000 | ... | 398,87,00,000 |
| | | Capital | ... | ... | ... |
| 42 | Department of Health and Family Welfare | Revenue | 30837,89,00,000 | ... | 30837,89,00,000 |
| | | Capital | 1241,29,00,000 | ... | 1241,29,00,000 |

| 1 | 2 | 3 | 4 | 5 |
|---|---------|-----------------|--------------|-----------------|
| | | Rs. | Rs. | Rs. |
| 43 Department of Health Research | Revenue | 1124,88,00,000 | ... | 1124,88,00,000 |
| | Capital | ... | ... | ... |
| 44 Department of Heavy Industry | Revenue | 419,94,00,000 | ... | 419,94,00,000 |
| | Capital | 148,52,00,000 | ... | 148,52,00,000 |
| 45 Department of Public Enterprises | Revenue | 7,55,00,000 | ... | 7,55,00,000 |
| | Capital | ... | ... | ... |
| 46 Ministry of Home Affairs | Revenue | 1553,69,00,000 | 1,00,000 | 1553,70,00,000 |
| | Capital | 93,59,00,000 | ... | 93,59,00,000 |
| 47 Cabinet | Revenue | 276,28,00,000 | ... | 276,28,00,000 |
| | Capital | ... | ... | ... |
| 48 Police | Revenue | 39423,49,00,000 | 2,41,00,000 | 39425,90,00,000 |
| | Capital | 5257,02,00,000 | 2,11,00,000 | 5259,13,00,000 |
| 49 Andaman and Nicobar Islands | Revenue | 1495,33,00,000 | ... | 1495,33,00,000 |
| | Capital | 200,53,00,000 | ... | 200,53,00,000 |
| 50 Chandigarh | Revenue | 1436,49,00,000 | 14,00,00,000 | 1450,49,00,000 |
| | Capital | 125,54,00,000 | 8,33,00,000 | 133,87,00,000 |
| 51 Dadra and Nagar Haveli | Revenue | 289,27,00,000 | ... | 289,27,00,000 |
| | Capital | 105,69,00,000 | ... | 105,69,00,000 |

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|--|---------|-----------------|--------------|-----------------|
| 52 Daman and Diu | Revenue | 525,33,00,000 | 1,00,000 | 525,34,00,000 |
| | Capital | 114,16,00,000 | ... | 114,16,00,000 |
| 53 Lakshadweep | Revenue | 372,37,00,000 | ... | 372,37,00,000 |
| | Capital | 62,13,00,000 | ... | 62,13,00,000 |
| 54 Transfers to Delhi | Revenue | 270,67,00,000 | ... | 270,67,00,000 |
| | Capital | 100,00,00,000 | ... | 100,00,00,000 |
| 55 Transfers to Puducherry | Revenue | 515,00,00,000 | ... | 515,00,00,000 |
| | Capital | ... | ... | ... |
| 56 Ministry of Housing and Urban Affairs | Revenue | 12304,80,00,000 | 30,60,00,000 | 12335,40,00,000 |
| | Capital | 6570,21,00,000 | 23,97,00,000 | 6594,18,00,000 |
| 57 Department of School Education and Literacy | Revenue | 32478,59,00,000 | ... | 32478,59,00,000 |
| | Capital | ... | ... | ... |
| 58 Department of Higher Education | Revenue | 15642,28,00,000 | ... | 15642,28,00,000 |
| | Capital | 806,67,00,000 | ... | 806,67,00,000 |
| 59 Ministry of Information and Broadcasting | Revenue | 1455,22,00,000 | ... | 1455,22,00,000 |
| | Capital | 4,51,00,000 | ... | 4,51,00,000 |
| 60 Ministry of Labour and Employment | Revenue | 3467,91,00,000 | ... | 3467,91,00,000 |
| | Capital | 10,09,00,000 | ... | 10,09,00,000 |
| 61 Law and Justice | Revenue | 1417,81,00,000 | ... | 1417,81,00,000 |
| | Capital | 45,00,00,000 | ... | 45,00,00,000 |

| 1 | 2 | 3 | 4 | 5 |
|--|---------|----------------|--------------|----------------|
| | | Rs. | Rs. | Rs. |
| 62 Election Commission | Revenue | 95,32,00,000 | ... | 95,32,00,000 |
| | Capital | 19,45,00,000 | ... | 19,45,00,000 |
| CHARGED.6 Supreme Court of India | Revenue | ... | 93,15,00,000 | 93,15,00,000 |
| | Capital | ... | ... | ... |
| 64 Ministry of Micro, Small and Medium Enterprises ... | Revenue | 2169,72,00,000 | ... | 2169,72,00,000 |
| | Capital | 9,01,00,000 | ... | 9,01,00,000 |
| 65 Ministry of Mines | Revenue | 513,46,00,000 | ... | 513,46,00,000 |
| | Capital | 35,86,00,000 | ... | 35,86,00,000 |
| 66 Ministry of Minority Affairs | Revenue | 1546,66,00,000 | ... | 1546,66,00,000 |
| | Capital | 20,00,00,000 | ... | 20,00,00,000 |
| 67 Ministry of New and Renewable Energy | Revenue | 1776,61,00,000 | ... | 1776,61,00,000 |
| | Capital | 15,00,00,000 | ... | 15,00,00,000 |
| 68 Ministry of Panchayati Raj | Revenue | 290,46,00,000 | ... | 290,46,00,000 |
| | Capital | ... | ... | ... |
| 69 Ministry of Parliamentary Affairs | Revenue | 6,46,00,000 | ... | 6,46,00,000 |
| | Capital | ... | ... | ... |
| 70 Ministry of Personnel, Public Grievances and Pensions . | Revenue | 505,32,00,000 | 1,26,00,000 | 506,58,00,000 |
| | Capital | 46,96,00,000 | 17,00,000 | 47,13,00,000 |

[illegible]

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|---|---------|-----------------|--------------|-----------------|
| CHARGED.ô Central Vigilance Commission | Revenue | ... | 11,85,00,000 | 11,85,00,000 |
| | Capital | ... | ... | ... |
| 72 Ministry of Petroleum and Natural Gas | Revenue | 31100,75,00,000 | ... | 31100,75,00,000 |
| | Capital | 541,75,00,000 | ... | 541,75,00,000 |
| 73 Ministry of Planning | Revenue | 203,94,00,000 | ... | 203,94,00,000 |
| | Capital | 23,00,000 | ... | 23,00,000 |
| 74 Ministry of Power | Revenue | 7564,39,00,000 | ... | 7564,39,00,000 |
| | Capital | 1429,06,00,000 | ... | 1429,06,00,000 |
| CHARGED.ô Staff, Household and Allowances of the President | Revenue | ... | 21,26,00,000 | 21,26,00,000 |
| | Capital | ... | ... | ... |
| 76 Lok Sabha | Revenue | 320,61,00,000 | 43,00,000 | 321,04,00,000 |
| | Capital | ... | ... | ... |
| 77 Rajya Sabha | Revenue | 133,17,00,000 | 51,00,000 | 133,68,00,000 |
| | Capital | ... | ... | ... |
| 78 Secretariat of the Vice-President | Revenue | 2,33,00,000 | ... | 2,33,00,000 |
| | Capital | ... | ... | ... |
| CHARGED.ô Union Public Service Commission | Revenue | ... | 99,48,00,000 | 99,48,00,000 |
| | Capital | ... | ... | ... |

| 1 | 2 | 3 | 4 | 5 |
|--|---------|-------------------|-------------------|-------------------|
| | | Rs. | Rs. | Rs. |
| 98 Ministry of Women and Child Development | Revenue | 9883,30,00,000 | ... | 9883,30,00,000 |
| | Capital | ... | ... | ... |
| 99 Ministry of Youth Affairs and Sports | Revenue | 727,30,00,000 | ... | 727,30,00,000 |
| | Capital | 11,67,00,000 | ... | 11,67,00,000 |
| | Total : | 1133030,89,00,000 | 2284264,49,00,000 | 3417295,38,00,000 |

EXTRAORDINARY

REGD. NO. JKô 33



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Fri., the 24th April, 2020/4th Vai., 1942. [No. 4-1
Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART IV

Reprints from the Government of India Gazette.

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MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 24th April, 2020/Vaisakha 4, 1942 (Saka)

THE HOMOEOPATHY CENTRAL COUNCIL (AMENDMENT) ORDINANCE, 2020

(No. 6 of 2020)

Promulgated by the President in the Seventy-first Year of the Republic
of India.

An Ordinance further to amend the Homoeopathy Central Council
Act, 1973.

2 The J&K Govt. Gazette, 24th April, 2020/4th Vai., 1942. [No. 4-1
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WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :ô

1. *Short title and commencement.*—(1) This Ordinance may be called the Homoeopathy Central Council (Amendment) Ordinance, 2020.

(2) It shall come into force at once.

2. *Amendment of section 3A.*—In section 3A of Homoeopathy Central Council Act, 1973 (59 of 1973) in sub-section (2), for the words òwithin a period of two yearsö, the words òwithin a period of three yearsö shall be substituted.

RAM NATH KOVIND,

President.

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(Sd.) DR. G. NARAYANA RAJU,

Secretary to the Govt. of India.